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MASTER WORSLEY'S BOOK

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MASTER WORSLEY'S BOOK

ON THE

HISTORY AND CONSTITUTION OF THE HONOURABLE SOCIETY OF THE MIDDLE TEMPLE

EDITED BY

ARTHUR ROBERT INGPEN, K.C.

A MASTER OF THE BENCH

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PREFACE

DURING the year 1908 the Masters of the Bench were requested to publish a new issue of Downing's Manuscript of Master Worsley's Book, as edited by Master C. H. Hopwood in the year 1896, to meet the numerous applications for copies of that work, now out of print. It was, however, considered preferable to have an edition of the original manuscript of Master Worsley, which was not discovered until Master Hopwood's work had been printed. Having proposed this latter course, I was requested to edit the work. When I undertook this edition I greatly underestimated the task. As I perused and re-perused the manuscript, and the other manuscripts connected with it, I came to the conclusion that to make the work intelligible and interesting a historical introduction dealing with the principal subjects treated of by Master Worsley was necessary. I then began to realize the difficulties of the undertaking. However, the kindly interest taken by the Masters of the Bench, and the encouragement so given me, induced me to persevere, and I have been able to collect a great deal of interesting matter which I have laid before the reader. This collected matter, however, is to some considerable extent given in the form of extracts, and I venture so to present it, thinking that in this form it may be of greater value than if I had merely summarized the materials and

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stated the result and my own conclusions. Moreover, many of the extracts are from works not easily accessible, and readers may prefer to have before them the original form and language. Throughout I have endeavoured to quote where possible from contemporary writers, and in every instance to give the authority for the statements made. Where I have drawn inferences it is so stated.

I desire to express my thanks for much assistance rendered me by the Under Treasurer, and by Mr. Herbert Rowe, the senior clerk at the Treasury; by Mr. H. J. Wadling our surveyor, and by Mr. C. W. Horser his clerk; by our librarian Mr. C. E. A. Bedwell; and by Mr. Charles Johnson, M.A. (Trin. Coll., Oxon), of the Public Record Office, whose historical knowledge and acquaintance with ancient records have been of great service to me. I am also much indebted to Master T. W. Brogden (whose long residence in the Inn and whose acquaintance with and devotion to its affairs are so well known) for having perused in manuscript Sections II and V of the Introduction, and for valuable criticism enabling me to make several amendments and additions; to Master Erskine Pollock, K.C., for assisting me to decipher the makers' names and the dates of the pieces of plate of historical interest (a list of which I have included in the Appendices); also to my niece Miss Rosa M. Whitlaw for seven artistic and faithful etchings illustrating some of the buildings; and last, but not least, to my clerk, Mr. F. E. Smith, as a most painstaking and accurate amanuensis.

A. R. I.

February, 1910.

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INTRODUCTION

BY THE EDITOR

I. OF THE AUTHOR AND MS. OF "MASTER WORSLEY'S BOOK," AND OF OTHER MSS. CONNECTED THEREWITH.

CHARLES WORSLEY was admitted to the Middle Temple on the 27th June 1690, as the second son of James Worsley, of Pilewell, Co. Hants, knight. He was called to the Bar on the 22nd May 1696, appointed Autumn Reader in 1725, and Treasurer in 1733. The Worsleys were a very ancient Lancashire family. Sir James Worsley, of a younger branch, was for many years Page to King Henry VII, and was Master of the Robes to Henry VIII, who appointed him Captain of the Isle of Wight for life, and he had the honour of entertaining King Henry VIII at Appuldurcombe, in the parish of Godshill, Isle of Wight. Sir Richard Worsley, of Appuldurcombe, was the first Baronet (1611). Charles Worsley was a grandson of Sir Hy. Worsley the 2nd Baronet. The Baronetcy subsequently passed to Sir James Worsley, the elder brother of Charles Worsley, and became extinct on the death of the 9th Baronet in 1825. The present Earl of Yarborough and Baron Worsley of Appuldurcombe is descended from the niece and heiress of Sir Richard Worsley the 7th Baronet, who died in 1805.[1] Charles Worsley was in 1722 Member of

[1] It was formerly, and to some extent it is still, the custom for a family to become associated with a particular Inn of Court. This is noticeable of the Worsley family. It appears that on the same day (8th February 1637) the second, third, and fourth sons of Sir Richard Worsley, the 1st Baronet, were admitted to the Middle Temple. In 1691 James Worsley, the elder brother of Charles Worsley, was admitted, and there are several other admissions of the same family down to comparatively recent times. Other notable instances in connection with our Inn will be found in the families of Carew, Montagu, Hyde, and Sandys.

Parliament for the Borough of Newtown, Isle of Wight. He was never married, and died at his Chambers in Essex Court on the 28th August 1739, and on the 4th September, in accordance with his testamentary direction, he was buried in the Crypt of St. Paul's Cathedral, in London. By his Will, which is dated the 17th April 1738, and was proved on the day following his death, after a number of pecuniary legacies, not forgetting his Temple laundress, to whom he gave a legacy of £20 and an annuity of £10 for life, and making provision for his Bench Chamber to revert to the Inn without being dismantled, he gave to the Society of the Middle Temple £50 to buy a piece of plate, and on the 5th November 1739, Master John Strange, then Treasurer, purchased therewith a large silver cup and cover engraved with Master Worsley's Arms. This piece of plate is occasionally displayed on the Bench Table. By his Will he gave also to the Minister and Churchwardens of the Parish of Godshill, for the use of the parishioners, a Communion service of plate, consisting of one silver flagon, two silver chalices, and two silver patines, all which he desired might be handsomely gilded with gold. This plate is still in use.

Worsley's MS.

The work which is attributed to Master Charles Worsley, and known as "Master Worsley's Book," appears to have been written during the year of his Treasurership. There were probably more copies than one of the work. It is uncertain whether the MS. now in the possession of this Society, and which may for convenience be called MS. No. 1, is the original MS. On comparing the handwriting with Master Worsley's Will at Somerset House, which he states is "all in my own handwriting," and is written out with great care on one sheet of paper, there is much resemblance, but the signature of the Will differs slightly from the signature on the title-page of the MS. The handwriting of the MS. has greater resemblance to that in which the Minutes of Parliament are written for the year 1734, and it is probable that it was carefully transcribed by a clerk in the Treasury Office. It is in a bold round clerical handwriting of the period, with scarcely any interlineations. To save space and time in copying, the common contractions and abbreviations are used, and punctuation on any system is entirely

ignored. There is ground for inference that MS. No. 1 was a copy made for the use of Master Lewis Stucley, Recorder of Bideford, in Devon, who became a Bencher of the Society in 1740, and Reader in 1745, and died on the 6th July 1748. On the inside of the front cover of MS. No. 1 is written: "L. Stucley of the Middle Temple," and on the inside of the back cover is written: "L. Stucley of the Temple"; and in MS. No. 2, subsequently referred to, the rent column of the List of Bench Chambers is headed "Annual Rents according to Mr. Stuckley's Copy." There are also numerous memoranda written at the end of MS. No. 1, on pages which originally had been left blank, of "Names of the Benchers the 12th July 1745 and since," names of Readers from 1731 to 1746, several minutes of Orders of Parliaments, and a list of Bench Chambers, 1746, 1747. These memoranda are in a different handwriting from that of the MS. itself, and several have much resemblance to the inscription on the inside cover of the book. Moreover on page numbered 208, apparently intended to follow on the List of the Benchers, is the following memorandum:

"L. Stucley on the 25 Jan. 1740 treated the Hall as Bencher.
"L. Stucley on 20th June 1745 treated the Hall as Reader.
"Died since my call to the Bench":—

Then follows a list of names of those who so died, including Master Richard Agar, who appears from the Temple Church Records to have died in the year 1742, and Master Sir Bibye Lake, who died in the year 1744, both after Master Stucley's call to the Bench. The inference may therefore be drawn that MS. No. 1 is a copy of "Master Worsley's Book," which belonged to Master Stucley, and it may have been acquired by him or made for his use during his Reading. It would seem scarcely credible that if it had been the original MS., or the only copy, Master Stucley would have written on it as he did.

Downing's MS.

William Downing was Steward of the Society in the year 1739, being the date affixed by him to his MS., which was edited by Master Charles H. Hopwood, Q.C., in the year 1896. The title-page of Downing's MS. is as follows:

"OBSERVATIONS
ON THE
CONSTITUTION
CUSTOMS AND USUAGE
OF THE HONOURABLE SOCIETY OF THE
MIDDLE TEMPLE

Originally written in the year 1733 for the use of Charles Worsley, Esq^{r}, then Treasurer, and since revised, amended, and large additions made thereto by the Author.

To which is added:

1. The Author's Remarks on the Declaration of the Vacation Parliament 1731.
2. A short account of the proceedings of the Publick call of Serjeants Easter Term 1736.

By W^{m} Downing
Steward of the said Society
1739."

The revision, amendment, and additions referred to are extensive. In many instances paragraphs are unnecessarily transposed, and the wording is unnecessarily altered, but the MS. contains additional matter of importance, which is noted in the present Edition.

Kirby's MS.

The next MS. in connection with Master Worsley's Book is that of John Kirby. He was Sub-Treasurer of the Society from 1747 to 1750.

The title-page to Kirby's MS. is as follows:

"OBSERVATIONS
HISTORICAL AND CHRONOLOGICAL
ON THE
CONSTITUTION CUSTOMS AND
USAGE
OF THE
MIDDLE TEMPLE
By Cha: Worsley Esq^{re} in the year 1734, and continued down to this Time, by Jn^{o} Kirby Sub Trẽar. (1750.)"

On the inside of the front cover is written in the same handwriting as the MS.: "Jn° Kirby, this Book belongs to me, and not to the Society of the Middle Temple."

Kirby's MS. is almost a verbatim copy of "Master Worsley's Book" as contained in MS. No. 1, with merely such additional matter as to bring the history down to date (1750), and except that in some places, where lists were intended, blank pages are left, and not filled in at all. At the beginning of the book containing MS. No. 1, before the title-page, on what may have been originally blank pages, are three pages lettered a, b, c. They are in the same handwriting as the MS. itself, but apparently inserted as an afterthought. Pages lettered a and c contain an epitome of what is stated in Stow's "Annales" (1631), Cap. XII, "Of the Temples" (pp. 1069, 1070). In Kirby's MS. a verbatim copy of this epitome is inserted by him in his text, as part of the history (see *post*, p. 89), but he attributes it to Sir Wm. Dugdale, and adds: "However, for the satisfaction of the curious we will repeat his own words." It is obvious that Kirby merely copied this out of MS. No. 1, and from this fact, and from some copying in connection with a few interlineations and clerical errors (*e.g.* see *post*, pp. 142, 144), it may be inferred that Kirby used MS. No. 1 itself in the preparation of his work.

MS. No. 2.

There is yet another MS. in connection with "Master Worsley's Book" which may for convenience be referred to as MS. No. 2. Excepting a few clerical errors, it is a verbatim copy of MS. No. 1, including the pages lettered a, b, c, at the commencement, and most of the memoranda at the end of the book. This MS. is of interest, as it contains notes on various matters in a different handwriting, probably made by Master Anthony Allen, who was chosen Treasurer in the year 1749, and corresponding with handwriting of rough notes written on the inside of letter-covers addressed to Anthony Allen, and on other scraps of paper pinned together, and found in MS. No. 2, containing matter for the preparation of a list of the Masters of the Temple Church. MS. No. 2 also contains at the end a MS. copy of the Report of Treasurer Ketelby, certified under the signature of Anthony Allen as correctly copied from the original, relating to the dispute with the Inner Temple as to precedence at

the Public Call of Serjeants, Easter Term 1736, and is set out in the Appendix to the present Edition as interesting in connection with Downing's account of the subsequent proceedings on that occasion.

Master Hopwood, in his preface to Downing's MS., shows how that MS. was acquired by the Society. That it was brought to Mr. Horsfall on the 20th October 1773 by a young woman, who desired that her name should not be disclosed, and alleged it had fallen into her hands with a lot of books. It was Mr. John Horsfall, who seems to have been at one time Clerk and Librarian, and afterwards Sub-Treasurer. In the "Extracts from the Accounts," at the end of the Calendar of the Middle Temple Records, there is an item dated 21st December 1771: "Paid Master Hatsell for purchase of MS. Book said to be done by Master Worsley £1. 1. 0." This cannot be the MS. book received by John Horsfall in 1773, and it would seem impossible to confuse it with Kirby's MS., or to identify it with MS. No. 2, for the reasons above referred to in connection with Master Anthony Allen. The inference is that MS. No. 1 was purchased about the year 1770 by Master Henry Hatsell, who was Treasurer from 1768 to 1770, and the £1 1*s.* was repaid to him and allowed in the Treasurer's accounts of the following year.

In transcribing the text of MS. No 1, the only liberty taken, with a view to facilitate the reading, has been to extend the abbreviations, to substitute small letters for meaningless capitals, and to insert a more intelligible punctuation.

Records. It should be mentioned that in MS. No. 1 on the page lettered b, above referred to, there is the following statement of the Records then in the possession of the Society.

"An Account of Such Books relating to the Middle Temple as are in the Hands of the Subtreasurer Jan^ry 1734.

"1°. ffour Books of Orders & Admissions promiscuously beginning in the Year 1500; & ending in the year 1658:

"2°. Two Books of Orders beginning in the Year 1658; to this time.

"3°. Two Books of Admissions to the House & Chambers beginning ann' 1658; to this time.

"N.B. From Hillary Term 1524 to Hillary Term 1551: the Books are missing, but it is not known how that happens.

"4°. A Book in which are Noted all Admittances to Chamb^{rs} and for what Interest the persons are Admitted.

"5°. A Book in w^{ch} the Chief Treasurers Acc^{ts} are entred at large after they have been passed & Confirmed.

"6°. Annual Books in which all Workmens Bills are entred.

"7°. A Book in which are Depicted the Coats of Arms of the Nobility & others w^{ch} were placed in the Windows of the Hall composed Ann' 1630:

"8°. A Book in which are Depicted the Coats of Arms of the Readers of the House beginning (viz^{t}) The Readers Names 1560: but the Coats of Arms not till 1597:

"9°. A Book in which are Noted all Bonds given to the House with the Names of the Obligors & Obligees.

"10°. A Book in which are Copy'd all Deeds.[1]

"11°. A Book in which are Copy'd all Leases."[2]

An abstract of the various classes of records of the Middle Temple prior to 1800 is given in the Calendar edited by Master Hopwood in the year 1903. According to the account given by Master James Anderson,[3] who was Treasurer in 1860, the oldest of the records in the possession of the Society (Vol. A[4]) contains the Minutes of Parliaments between the 16 Hen. VII and 16 Hen. VIII (1501 to 1524), but in the Minutes during that period there are

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[1] The title at the commencement of this book is: "A book containing all the Charters and Deeds belonging to the Hon^{ble} Society of the Middle Temple transcribed in the year 1664 William Montagu Esq^{re} being then Treasurer." The first deed transcribed is the Bargain and Sale dated 21st June, Eliz. 28 (1586) to Trustees of the Society of the moiety of the Master of the Temple's lodging.

[2] This also originated at the same time. The entry in the Extracts from Accounts (Cal. p. 171) is "Transcribing all the House's Deed, Charter, Evidence, and Leases into two large folio books."

[3] See Master Hopwood's Introduction to the Calendar of the Middle Temple Records.

[4] The reference to the volume as "Vol. A," etc., is merely endorsed on the back of a comparatively modern binding. The first record has no heading at all. It is a Minute of Parliament, 16 Hen. VII, written at the top of a page, and all other Minutes follow on in their order. The title or number of the volume is, therefore, no indication that there were not earlier records.

references to earlier records, for instance, a Liber Constitutionis and Rotuli. The date of the last entry in Vol. A is 3rd February 1524, and the next entry in the Minutes in point of time is of date 13th February 1551, Vol. D. The records for the intervening years are missing as well as those prior to 1501. There does not appear to be any other loss of our records. The destruction of records attributed by tradition to Wat Tyler's Rebellion (1381) does not account for the loss of subsequent records. It may be noticed that neither Stow nor Dugdale[1] refers to the later loss of records. Dugdale, in referring to the loss of registers ("Orig. Jurid." pp. 141, 145), is evidently alluding to the burning of books and records by Wat Tyler (4 Rich. II). Doubtless there were very few early records or registers.[2] Parliament prior to 1604 was held only once in every term (see *post*, p. 111), and probably prior to the completion of the Hall in 1571, met in the old Hall itself for want of a more convenient place (see *post*, p. 175). The proceedings in Parliament were principally for the election of officers, as appears by the early existing records, and it was not until the beginning of the seventeenth century that regulations were made for the entry of orders (see *post*, p. 111). Further, admissions to the Inn and to Chambers, as well as the fines on such admissions, were probably in ancient times in the discretion of the Treasurer (see *post*, pp. 137, 139, 166). Until the year 1524 the Treasurer himself received such moneys as were not collected by

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[1] Dugdale's ("Orig. Jurid.") references to the registers of the four Inns in giving lists of Readers and Treasurers or Governors commence as follow:

Middle Temple.	Cod. vol. i, 16 Hen. VII (1500-1) Readers.
	Reg. vol. i, 17 Hen. VII (1501-2) Treasurers.
Inner Temple.	Reg. vol. i, 21 Hen. VII (1505-6) Treasurers.
	„ „ 22 Hen. VII (1506-7) Readers.
Lincoln's Inn.	Reg. vol. i, 3 Hen. VI (1424-5) Governors.
	„ „ 4 Edw. IV (1464-5) Readers.
Gray's Inn.	Reg. vol. i, 5 Hen. VIII (1513-4) Readers.
	„ „ 22 Hen. VIII (1530-1) Treasurers.

With regard to the Middle Temple records there are not two volumes, a Codex and a Register, but only one volume, see *ante*, p. 7, n. 4.

[2] Sir John Ferne, who was admitted to the Inner Temple in 1576, in "The Blazon of Gentrie" (1586), p. 24, says that he had seen a Kalendar of all the members of one Society (he does not say which) of about the last year of King Henry V (1422) "with the Armes of theyr house and familie marshalled by theyr names: and I assure you, the selfesame monument doth both approove them all to be Gentlemen of perfect discents, and also the number of them, much lesse then now it is, beeing at that time in one house scarcely threescore."

the Steward, and he defrayed all charges (see *post*, p. 168), and it would seem it was not until the year 1519 (10 Hen. VIII) that it was thought desirable to have the Treasurer's accounts audited (see *post*, p. 175). Even after this date, and until 1637, no books of account appear to have been kept, and then at first only payments were recorded (see Cal. p. xix). With regard to the missing records between the years 1525 and 1550, they would seem to have been in existence in the year 1608, since the Minutes of Parliament for the 6th May 6 James I refer to and revive an Order of Parliament of 18th November 1 Edw. VI (1547). Further, Dugdale would seem to have had access to some records relating to the same period, since in the lists of Readers and Treasurers given in his "Origines Juridiciales" (1666) he gives the names of the Readers during that period, which are not elsewhere to be found; but he omits any reference to the Register, although in every other case he gives the folio in the Register. He does not give the names of any Treasurers during this period. Moreover it is noteworthy that the records in 1501 are marked Vol. A, or as Dugdale describes them, Cod. and Reg. vol. i. It is unlikely that the records were destroyed in the Great Fire of London of 1666, or the Great Temple Fire of 1679, without the circumstance being referred to either by Lord Clarendon or Roger North in their autobiographies. It is, however, not improbable that the few records which existed at the time Thomas Denton, Nicholas Bacon, and Robert Cary reported to King Henry VIII on the Inns of Court (see *post*, p. 37), were entrusted to them for the preparation of such Report, since they state that it had been made by them upon the diligent search and perusing of all the Orders of the Houses of Court; and it may be that some of them were never returned to the Inns to which they belonged. This surmise would account for the common loss of records of the same period by the Inner Temple and Gray's Inn.

II. OF THE ORIGIN OF THE INNS OF COURT AND OF THE MIDDLE TEMPLE

A GREAT deal has been written as to the origin of the Inns of Court, but in the absence of any authentic records it must necessarily be surmise only.

Sir Wm. Dugdale ("Orig. Jurid.," cap. lv), after saying that the learned in our Laws were anciently persons in Holy Orders is out of all question, as also that divers Justices of the King's Courts, and those called Itinerant, were ecclesiastics, proceeds: "But after the Statute of Magna Carta (9 H. III, c. xi) whereby King H. III appointed that 'Communia Placita non sequantur Curiam sed teneantur in aliquo certo loco,' 'tis not to be doubted, but that, as well the Students in the Law as the peculiar Ministers of each Court, being at a better certainty how and where to exercise themselves, began to fix and settle in certain places and stations most proper for their studies, conference, and practice: which, that they might the more regularly do, King Edward the first, in 20° of his reign appointed John de Metingham (then Lord Chief Justice of the Court of Common Pleas) and the rest of his fellow Justices (of that Court) that they, according to their discretions, should provide and ordain, from every County, certain Attorneys and Lawyers [certum numerum de Atturnatis et Apprenticiis] of the best and most apt for their learning and skill, who might do service to his Court and people: And that those, so chosen only, and no other, should follow his Court, and transact the affairs therein: the said King and his Councell, then deeming the number of seaven score to be sufficient for that imployment; but it was left to the discretion of the said Justices, to add to that number, or diminish, as they should see fit. So that, soon afterwards, though we had no memorial of the direct time, nor absolute certainty of the places; we may safely conclude, that they settled in certain Hostells or Innes, which were thenceforth called Innes of Court." And further on he says that owing to registers being lost the first record he had seen pointing out the certainty of their settling in these Hostells was "a demise 18 Edw. III

from Lady Clifford of that House near Fleet street, called Clifford's Inne (now one of the Innes of Chancery) Apprenticiis de Banco; which, as I take it, is meant to the Lawyers belonging to the Court of Common Pleas."

The late Master, G. Pitt-Lewis, K.C., in his little book called "The History of the Temple," connects the origin of the Inns of Court with the famous schools of learning in early times attached to the principal churches in London, and in particular to the churches of St. Paul, St. Sepulchre, and St. Andrew. He purports to quote from William Fitzstephen's "Life of St. Thomas à Becket," written between 1170 and 1182. "Upon festival days the Masters made solemn meetings in the churches, where their scholars disputed logically and demonstratively, some bringing enthemims, others syllogisms. Some disputed for show, others to keep up too; cunning sophisters were thought brave scholars when they flowed with words; others used fallacies; Rhetoricians spoke aptly to persuade, observing the pretext of art, and omitting nothing that would serve their purpose. The boys of divers schools did cap or pot verses, and contended in the principles of grammar. There were some which on the other side with epigrammes and names nipping and quipping their fellows, and the faults of others, though suppressing their names, moved thereby much laughter among their auditors."[1] The hostel connected with St. Paul's was in Paternoster Row, that with St. Sepulchre's in the adjoining St. George's Inn, and that with St. Andrew's in the adjoining Thavie's Inn. The principal meeting place of the lawyers with their clients was in the parvis or porch, in some instances extending into the aisle of the church, to which their hostel was attached, as in later times it was in the Round of the Temple. It is suggested that these hostels were the origin of the Inns of Court, and that as the number of students outgrew the original accommodation, smaller Inns, called Inns of Chancery, were established, subject to the control of the founders, where apprentices of the law were

[1] This is not in fact a quotation from Fitzstephen. It is a condensed version of an interesting passage in Fitzstephen's description of the City of London, forming part of the preface to his "Life of St. Thomas of Canterbury"; see "Vita S. Thomæ," Giles ed. 1843, vol. i, p. 174, in Latin; and see the literal English translation in the Appendix to the "Life and Letters of Thomas à Becket," by J. A. Giles (1846), vol. ii, p. 380.

lodged, and copied, and were taught to prepare, the original writs which issued out of Chancery.

On the other hand, the Rev. R. J. Fletcher, in his Introduction to the "Pension Book of Gray's Inn," considers that the four Inns were distinct from the earlier hospices, the result of second thoughts, the products of a time when the informal congregation of students in hired houses had proved a source of disorder, and the need of more discipline had become apparent. He points out that the founders of the Inns of Court were of the Master grade, that there is no instance of any man below the grade of a Bencher possessed of a voice in the election of Benchers or in the administration of the Society, and that from the first days of which we have knowledge they were in possession of the exclusive right of enabling a man to practise in the Courts of Westminster. Further, that the common possession by the four Societies of this enabling power, together with the marked absence of any historical claim to precedence on the part of any of them, would seem to support a presumption that the dates of their several origins were not far apart.

The great struggle for supremacy between the Common Law and Civil Law began in the reign of Henry II. An ordinance, 19 Hen. III (1234), prohibited teachers of law within the walls of the City of London. Whatever may have been the exact intention of this proclamation, whether to suppress the teaching of the Common Law or only the Civil Law, the effect, combined with the earlier prohibition of the Fourth Lateran Council (1215, published here by the Bishop of Salisbury about the year 1217) against the clergy appearing as advocates in secular courts unless in causes in which they themselves were concerned or in the causes of the poor,[1] and with the subsequent prohibition in the year 1254 of Pope Innocent IV forbidding the reading of the Common Law by the clergy in the English universities and seminaries of learning because its decrees were not founded on the imperial constitutions,[2] was gradually to supersede the ecclesiastics as teachers of the law. After the Great Charter of Henry III (1225), a class of pleaders in the King's Courts

[1] Spelm. (1664), Concil. tom. ii, sub ann. 1217, De bono Pacis, p. 140.
[2] See Matt. Paris, Luard's ed. (1872), p. 427, sub ann. 1254.

is referred to by Matthew Paris in 1235, and they frequently appear during the last half of the thirteenth century. In 1280 the City of London made regulations for the admission of pleaders and attorneys to practise before the civic courts and for their due control, and in 1292 there is the Order of Edward I to John de Metingham to which Dugdale refers.[1] It is therefore at the end of the thirteenth century that we find the first traces of the constitution and organization of the legal profession; and, without doing violence to any of the above theories, it is not unreasonable to suppose that the secularized hospices or schools of learning were then reorganized, and independent Inns of Court established by the Apprenticii de Banco to which the hospices were respectively attached and became subordinate.

In the absence of any authentic records, the origin of the two Societies now known as the Middle Temple and the Inner Temple is also a matter of conjecture. Whether these two Societies were originally one Society and separated at a comparatively late period after becoming established in the Temple, or whether they were originally two Societies, has been and still is a much vexed question. This subject, and the early history generally of the two Temples, is so intimately connected with the history of the Knights Templars and the Order of the Prior and Brethren of the Hospital of St. John of Jerusalem in England, known as the Knights Hospitallers, that it has been thought desirable to refer in the Appendix to all the principal documentary evidence relating to the two Orders, so far as it is applicable to the history of the Temple.

The Knights Templars established the chief house of their Order in England in, or shortly before, the year 1128 without Holborn Bars, in "Oldbourne," wholly, or for the most part, on the plot of ground where Southampton House and adjacent buildings were subsequently erected. Afterwards, about the year 1184 or a little earlier, they removed to the old manor house south of

[1] See Rolls of Parl. 20 Edw. 1, vol. i, p. 84, No. 22; also "A History of English Law," by W. C. Holdsworth, D.C.L., vol. ii, p. 263; and "The Middle Temple: its Origin and Early History," by John Hutchinson, as Introduction to the Minutes of Parliament of the Middle Temple (1904).

Fleet Street, which then became known as the New Temple, their old house being afterwards referred to as the Old Temple.[1] After the seizure of their property in England in the year 1308, and the final suppression of the Order on the 22nd March 1312 by the Council of Vienne, the New Temple, with the adjoining property in the City and suburb of London, which had come to the King's hands, was, in the first instance, granted by King Edward II to Aymer de Valence, Earl of Pembroke, but Thomas, Earl of Lancaster, claiming the Temple by escheat, as the immediate lord of the fee,[2] the Earl of Pembroke, on the 3rd October 1315, at the request of the King, released all his rights to the Earl of Lancaster, who held it for about six and a half years, when he was executed for treason. The King thereupon again granted the New Temple in London to Aymer de Valence for life. In the Parliament which met on the 23rd February 1324 (17 Edw. II, Stat. 2), all the lands, lordships, fees, churches, advowsons and liberties belonging to the lately dissolved Order of the Templars were assigned to the Prior and Brethren of the Hospital of St. John of Jerusalem in England, to remain to them and their successors for ever. Aymer de Valence died in the year 1324, and thereupon, and notwithstanding the Statute 17 Edw. II, the King granted the manor of the New Temple, London, to Hugh le Despenser the younger. The latter, however, appears subsequently to have obtained from the Prior and Brethren a feoffment of the lands and rents of the New Temple, except the consecrated places.[3] On the attainder and execution of

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[1] Petyt MSS., No. 538, vol. xvii, p. 400, given by William Petyt to the Honourable Society of the Inner Temple, tracing the history of the Temple from the reign of Henry II to the time of Charles I, in the early part of whose reign it would seem to have been written; see also "The Knights Templars," by C. G. Addison (1842); and *post*, p. 52.

[2] See Appendix; and also the allegation in connection with the dispute with the City as to its claim to jurisdiction (State Papers, Domestic, Charles II, vol. cclvii, No. 157; set out in Cal. p. 237), the Temples claiming exemption on the ground, *inter alia*, that by the dissolution of the Knights Templars it came to Thomas Earl of Lancaster and Leicester as belonging to the honor of Leicester and continued exempted till by Act of Parliament it was settled on the Hospitallers.

[3] The Hospitallers had no occasion for the New Temple as an abode of the Order. The House of the Hospitallers was at Clerkenwell. It was erected in the year 1100, or shortly after, on the establishment of their Order (Dug. "Mon. Ang." vol. vi, p. 799), and was a House of great importance, since on the 10th of the calends of April (23rd March) 1185, a little more than a month after the consecration (10th February 1185) of the Church of the Knights

Hugh le Despenser the younger in November 1326 the Temple was seized into the hands of the King.

On the 25th January 6 Edw. III (1332) the King committed the custody of the Temple, and of all the rents which formerly belonged to the Templars in London, and which were then in the King's hands by the forfeiture of Hugh le Despenser to William de Langeford at a ferm or rent of £24 yearly, but in the 10 Edw. III (1337), on the complaint of the Prior, and after inquisition, it was found that William de Langeford was unjustly in possession of the consecrated places annexed to the church, and the same were ascertained by certain bounds and delivered up to the Prior, the residue remaining with William de Langeford.[1] The total value of the New Temple lands, which belonged to the Templars in the City, was extended at £73 6*s.* 11*d.* yearly (equal to about £1,000 a year of money at the present day[2]), and the portion of the yearly ferm of £24, which William de Langeford rendered to the King for the custody of the places delivered to the Prior and his Brethren, was ascertained to be £12 4*s.* 1*d.* yearly, which was remitted. In the year 1338 the King sold the rest of the manor to the Prior and Brethren, and entire possession was delivered to them, but out of gratitude to William de Langeford for his good services to the Order, on the 18th July 1338 the Prior and Brethren granted to him for life possession of the manor with the foreign rents at a rent of 1*d.* at Midsummer, and also, at a rent of 32*s.*, of all their messuages and places of the sometime Temple lying from the lane called "Chauncellereslane" to the Templebarre without the gates of the New Temple, except the messuages which had been sold to William Brex, one of the Brethren. William de Langeford died in the year 1368.[3]

Templars, the Grand Council or Parliament of England assembled there (Addison's "Knights Templars," p. 115).

[1] See Cal. of Close Rolls, 1st June 1337, and 18th May 1338. William de Langeford was clerk or chaplain to the Prior and a trusted servitor of the Order. He was in possession as Crown lessee of the whole of the New Temple, and the rent of £24 was reserved in respect of the entirety, although only the parts of which Hugh le Despenser had been enfeoffed escheated to the King and were capable of being leased to him by the King. The object of the proceedings was to recover to the use of the Prior and Brethren the consecrated parts, and to obtain a reduction of the rent of £24 in respect of so much of the property as was wrongfully alleged to have belonged to Hugh le Despenser and to have escheated.

[2] Addison's "Knights Templars," p. 354.

[3] Cal. Inq. p. m. No. 38, 41 Edw. III.

The attainder of Thomas, Earl of Lancaster, was reversed in Parliament, 1 Edw. III (1327). Such reversal did not affect the statutory title of the Prior and Brethren, but the Manor of the Temple, being of the Honor of Leicester, continued to be held of the Earl of Lancaster, and subsequently, in 1351, of the Duke of Lancaster, as immediate lords of the fee. The Inquisitions taken on the reversal of the attainder of Earl Thomas, on the 14th March 1327, and the two Inquisitions of the 15th August 1336, and the 28th April 1337, in connection with the Crown lease to William de Langeford, throw great light on the probable time when the New Temple was first occupied by the lawyers. It appears that between the death of Earl Thomas, in 1322, and the death of Hugh le Despenser the younger, in 1326, Roger Blom, sometime " nuncius " of the Temple, at the request of the Master and Brethren, caused thirteen houses to be built upon a plot of land being in the cemetery consecrated to the Church in the front part near the highway towards the north, to let the same houses in order to maintain lights and other ornaments of the Church. These houses are not referred to in the Inquisition of 1327 as existing in 1322 on the death of Earl Thomas, but they are referred to in the Inquisition of 1336 as having been in the wrongful possession of Hugh le Despenser the younger. It also appears that in 1337 there were eight shops in the custody of William de Langeford, seven in Fleet Street and one outside the Temple Bar. Besides the thirteen houses and the Church and Chapels, the buildings in the New Temple itself appear to have then consisted of two Halls, one adjoining the Chapel of St. Thomas, with rooms above in the occupation of the Prior and the Brethren, and the other, with four rooms and stabling and a room at the outside of the Great Gate, in the custody of William de Langeford. On comparing the description of these buildings with the inventories made between 10th January 1307 (old style) and 10th November 1308 of the contents of the rooms, when on the suppression of the Order of the Knights Templars their effects were seized by the sheriffs,[1] it is evident that no buildings other than the thirteen houses referred to had been erected in the meantime; and no altera-

[1] See Baylis, the Temple Church Appendices, p. 131.

tion was made up to the time of William de Langeford's exoneration on the 3rd March 1343. One tradition is that the lawyers "made composition with the Earl of Lancaster for a lodging in the Temple, and so came hither and have continued here ever since."[1] It is found by the Inquisition of 1337 that owing to the removal of the King's Courts from London the rents from the shops had between November 1326, the death of Hugh le Despenser the younger, and 1337, the date of the Inquisition, considerably depreciated in value. The Courts in fact from the year 1327 (1 Edw. III) to the year 1339 (12 Edw. III) were removed from Westminster to York (see *post*, p. 227). The inference would seem to be that the lawyers, prior to 1327, resided in the houses erected on part of the ground north of the Church. The temporary removal of the Courts to York would affect the value of the shop property, but not necessarily the residential property, since the lawyers would naturally retain their chambers during their temporary absence. Except, however, as approximating the time when the lawyers first lodged in the Temple the tradition cannot be correct, since the only lodging in the Temple available would have been the thirteen houses built by Roger Blom and which belonged to the Prior.

Another tradition, as to the time when the lawyers settled in the Temple, is stated by Dugdale ("Orig. Jurid." p. 145), and as resting on nothing but tradition, that the Knights Hospitallers, soon after King Edward III[2] granted the Mansion of the Temple to them, "demised the same for the rent of x*l.* per annum unto divers professors of the Common Law that came from Thavyes Inne in Holburne." In Hearne's "Collection of Curious Discourses" (1720) there is a discourse "Of the Antiquity of the Houses of Law," by Mr. Thynne,[3] written probably seventy years before Dugdale's

[1] Petyt MSS., No. 538. Mr. Addison in "The Knights Templars," p. 348, points out the similarity of many of the rules, customs, and usages of the Order of Knights Templars with those observed to this day in the Temples, leading him to a conclusion that the domestics and retainers of the ancient brotherhood became connected with the legal Society formed therein, and transferred their services to that learned body.

[2] Sic in "Orig. Jurid.," but evidently a mistake as the lands of the Templars were bestowed on the Knights Hospitallers by stat. 19 Edw. II.

[3] This was no doubt Francis Thynne, Lancaster Herald. He was admitted a member of Lincoln's Inn 23rd January 1561; he became a member of the old Society of Antiquaries

"Origines Juridiciales," and he says, referring to the statute of Edward II bestowing the lands of the Templars on the Hospital of St. John of Jerusalem, "After this (but at what time I certainly know not, although I guess it not much from the 30th year of Edward III)[1] the Knights of Rhodes granted the same to the Students of the Common Laws of England for ten pounds by year, from which time they have remained there as they yet doe." This statement, it will be observed, is more definite as to time than that by Dugdale, but it says nothing of the professors who came from Thavie's Inn, and in both statements only one rent of £10 is referred to. It is probable that during the reign of Edward III, and about the time mentioned by Mr. Thynne, possibly on the death of William de Langeford in 1368, the Knights Hospitallers made the first grant to the professors of the Common Law for the rent of £10.[2] It remains, however, to consider to what professors they made this grant, and to whom they made the second similar grant, and whether contemporaneously. Some assistance in arriving at a conjecture on these matters may be obtained by reference to the history of the Inns of Chancery.

Fortescue, writing about the year 1470, refers to ten Inns of Chancery as then existing; but Dugdale in 1666 can only trace nine, and says that the tenth Inn of Chancery, which stood in Fortescue's time, is lost, unless it be St. George's Inn over against the Church of St. Sepulchre, "which is thought to be the ancientest Inn of Chancery." Stow,[3] in his "Survey" in 1598, says "In this

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in 1591-2, and pursued with ardour the study of the history and antiquities of England ("Dict. Nat. Biog.").

[1] 1356.

[2] According to Mr. John Hutchinson, there is no known reference to the Temple at all as the abode of lawyers by contemporary writers earlier than in the Paston Letters (1426-51) except one—the passage quoted by Dugdale from the Prologue of Chaucer, as evidence (as he said) that the lawyers were there in Edward III's time. Mr. W. C. Bolland, in an interesting article in the "Law Quarterly Review," October 1908, on the origin of *apprenticii* and barristers, refers to a will, preserved at Somerset House, dated 24th August 1404, of John Bownt of Bristol, in which the testator makes a bequest to "Roberto mancipio medii Templi," and suggests this as the earliest date hitherto known for the separate existence of the two Societies. The words, however, of the bequest do not necessarily refer to any society, and it may possibly be that the locality previously farmed by William de Langeford had then come to be known as the Middle Temple.

[3] "Survey of London," sixth ed., vol. i, p. 724. The first edition was in 1598.

St. George's-lane, on the north side thereof, remaineth yet an old wall of stone, inclosing a piece of ground up Seacoal-lane, wherein, by report, some time stood an Inn of Chancery; which house being greatly decayed, and standing remote from other houses of that Profession, the Company removed to a common Inn, called, of the sign, Our Lady Inn, not far from Clements Inn; which they procured from Sir John Fineox, Lord Chief Justice of the Kings Bench:[1] and since have held it of the owners, by the name of the New Inn, paying for it 6*l.* rent by the year, as tenants at their own will." This would be about the year 1495, and New Inn always belonged to the Society of the Middle Temple. Consequently it may be inferred the Apprenticii de Banco, who constituted the Society of the Middle Temple, were drawn from St. George's Inn, and that our Society is the only Society of the four Inns of Court which can trace an independent origin directly from one of the hospices.

Thavie's Inn described by Stow as on Holborn-hill adjoining to Crookborn-alley, near to the Church of St. Andrew, was another Inn of Chancery from which Apprenticii de Banco were no doubt drawn. It was probably the nursery of the three other Inns of Court, since Dugdale says there were Students of the Law resident there in Edward III's time,[2] and there is nothing whatever to connect it with the Society of the Inner Temple. It was conveyed to the Society of Lincoln's Inn in January 4 Edw. VI (1551). Clifford's Inn, on the other hand, on the opposite side of Fleet Street, belonged to the Society of the Inner Temple, and Stow says (p. 737) King Edward III granted it to Robert Clifford, and after his death his widow Isabel let the same, "Apprenticiis de Banco pro 10*l.* annuatim, Anno 18 Edwardi tertii, inquisitio post mortem Roberti Clifford." This was in the year 1344.

Applying therefore this test of the connected history of the Inns of Chancery, it is probable that some of the Apprenticii de Banco from Thavie's Inn settled in Clifford's Inn and now represent the

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[1] Sir John Fineux was appointed Chief Justice on the 24th November 1495 ("Dict. Nat. Biog.")

[2] See also statement by Sir George Buc in Stow's Annales (1631), p. 1074. Sir George Buc was a probationer at Thavie's Inn before his admission to the Middle Temple.

Society of the Inner Temple. It is, however, unlikely that the Apprenticii de Banco who established themselves in Clifford's Inn in 1344 (18 Edw. III) should then be established in the Temple. Hence it may be inferred that the lawyers who then resided in the houses erected on the North Churchyard in the New Temple were not the Apprenticii de Banco who subsequently became known as the Society of the Inner Temple, but must have been those who subsequently became known as the Society of the Middle Temple. It is also a curious coincidence that to this day the Society of the Middle Temple owns the property (Goldsmith Buildings) built on the site of the cemetery north of the church, formerly known as Churchyard Court. The result of the evidence seems to point to the conclusion that the Society of the Middle Temple was the first to settle in the Temple between the years 1322 and 1326, and that probably on the death of William de Langeford (1368), or thereabouts, acquired by demise from the Prior at a rent of £10 per annum, not merely what they had previously been in occupation of but also the rest, or the principal part, of the property which William de Langeford held for his life under the grant to him from the Prior. This theory receives corroboration on referring to the plan on the Deed of Partition of 1732, since that Deed may be accepted as a definite indication of what the respective holdings had been for a remote period. The Society of Apprenticii at Clifford's Inn most likely obtained a demise from the Prior about the same time as the Society of the Middle Temple, but took from the Prior what remained and what was not occupied already, that is to say, the inner parts of the Temple, and such parts previously occupied by the Prior and Brethren which they no longer required, including the Hall of the Priests, which, according to Dugdale (p. 146), appears to have been rebuilt about that time (see *post*, p. 93, and *cf. post*, p. 156).

The proprietorship intermixed of the two Societies of buildings annexed to the Church on both the north and south sides, and over the Porch and Cloisters, as well the holding in severalty of separate chambers in the same building as shown in the Deed of Partition of 1732, may be accounted for in the following manner.

The New Temple was never the abode of the Hospitallers as it

was of the Knights Templars, and it may be assumed that the Church was always served by priests from the House at Clerkenwell who were lodged in the Temple.[1] Whilst the New Temple was in the hands of the sheriffs after the seizure of the property of the Knights Templars in 1308, the number of such priests for whom allowance was made in the accounts was six,[2] and it appears from Dugdale and other writers that the number from time to time varied, and on the dissolution of the Order of Hospitallers by 32 Hen. VIII, c. 24, the Master and two chaplains were provided for. The Hospitallers, therefore, had no occasion for the Hall of the Priests, or the Cloisters, or any of the "loca sancta et deo dedicata et dicte ecclesie annexa," except the Church, a sufficient part of the Churchyard, and some lodgings for the serving priests. As already mentioned, Roger Blom had already erected thirteen houses on part of the North Churchyard, and doubtless the Prior would readily consent to other houses or chambers being built over void ground or over the Cloisters, in consideration of a money payment or fine, and that thenceforth the holding should form part of the entire property held by the particular Society of the Prior at the rent of £10.

Further, with regard to the two Societies having chambers in the same building, it must be remembered the Societies themselves had no endowments or money to erect buildings; they were dependent on the revenue received from their members; and Master Worsley says (see *post*, p. 141) that it had been customary when a building was old and much decayed to grant the proprietors of all the chambers in that building two assignments to be added to their present interest therein as an encouragement to and consideration for the expense of rebuilding them. It is therefore probable that members of each Society would apply to the Treasurer of the Society to obtain the consent of the Prior to their building on void land on payment of a fine; and that, leave being granted, the Society would grant to the member, in consideration of the expense, one or more assignments beyond his existing life interest. So also it is probable such a licence from the Prior would occasionally be obtained on the

[1] See *post*, p. 156. [2] See Baylis, "The Temple Church," Appendices, p. 134.

joint application of the Treasurers of both Societies at the instance of their respective members, and thereupon independent proprietorship would arise in separate chambers in the same building, similar to the several freehold interests to be found in some sets of chambers in New Square, Lincoln's Inn, at the present day.

The existence, therefore, of such conditions as above referred to is not a necessary consequence, as has been suggested by some writers, of the two Societies having been originally one. Mr. Hutchinson, in his "Introduction to the Minutes of Parliament of the Middle Temple," expresses the opinion that such inferences as may be drawn from an examination of the testimony of every authentic reference to the Temple as the abode of the lawyers, as far back as authentic records go, are all against the original unity of the two Societies; and Mr. Fletcher's opinion, in his introduction to the "Pension Book of Gray's Inn" (see *ante*, p. 12), would seem to coincide with this conclusion.

All four Inns of Court as originating from the Apprenticii de Banco (20 Edw. I) are of equal antiquity. Whether the Society of the Middle Temple or of the Inner Temple first established itself in the Temple, except as a matter of history and antiquarian interest, is of no consequence whatever. Fortunately no such disputes as to precedence as arose in former times (see *post*, p. 97) are ever likely to arise again to disturb the friendship which has existed for centuries, and is acknowledged every year in the month of October by the Benchers of each Society alternately entertaining at dinner in their Hall the benchers of the other Society.[1]

We will now pass on to the subsequent history.

By 32 Hen. VIII, c. 24 (1540), the Order of the Knights of

[1] The origin of this custom is lost in antiquity. Addison, in "The Knights Templars" (1842), p. 368, following up the tradition that the two Societies were originally one, suggests that the dinner is in memory of the old custom before the separation. On the other hand, Pitt-Lewis, in "History of the Middle Temple," p. 75, thinks the real origin of the custom is connected with the dispute as to the ownership of Lyon's Inn (3 Eliz.), and in memory of the reconciliation. The first reference to the entertainment in the accounts is under date 23rd April 1785 (Cal. p. 223).

Saint John of Jerusalem in England was dissolved, and their possessions became vested in the Crown. The Act (Sect. 5) contained a general saving clause in favour of all persons and bodies politic, their heirs and successors, of all such right, title, interest, possession, leases, grants, etc., as may have been derived through the Order, but it should be observed there is no saving clause of the rights of the Duchy of Lancaster. By Sect. 8 the Sub-Prior in England, and the Master and two Chaplains of the Temple, were allowed to keep their salaries and houses for their lives. It also provided (Sect. 12) that the lands thereby vested in the King should be under the Survey of the Court of Augmentations.

The author of the Inner Temple MS. already referred to,[1] says that the Professors and Students of the Common Laws held as tenants at will during the reigns of Henry VIII, Mary, Elizabeth, and James I, and never sought to gain any firm or sure estate therein, which certainly proceeded from the confidence they had of the prince's favour, but that they were roused from this security about the beginning of the reign of his late Majesty King James, at which time the weakness of their title was discovered unto some who went to make a benefit thereof; but their design was soon crossed by the humble suit made by both Societies unto his Majesty, who was pleased to grant them his Letters Patent. In thankfulness of which the two Societies caused to be made a stately cup of pure gold, weighing 200 ounces and one half, equal in value to 1,000 marks or thereabouts, and presented it to the King.

By the Patent of the 13th August 1608 in the sixth year of James I,[2] the King granted to certain named persons (being an equal number of Benchers of each of the two Societies of the Inner

[1] Petyt MSS., No. 538.

[2] See Appendix I, p. 231. This Charter is kept in an iron-bound chest under the Communion Table in the Temple Church, to which there are two keys, one in the possession of the Inner Temple and the other of the Middle Temple. This chest seems to have been provided in the year 1656 (Mins. of Parl. 16th May 1656) and to have been kept "under the great window in the Church" under joint control ever since (Mins. of Parl. 12th June 1657). The charter is in Latin and is transcribed in the Deeds Book, and a facsimile photogravure by W. Griggs and Son is in the corridor of the Inn.

and Middle Temple [1]) the said Inns and capital messuages and buildings with the appurtenances called or known by the name or names of the Inner and the Middle Temple, or New Temple; also the Bridge called the Temple Bridge; also the annual rent or payment of ten pounds, late parcel of the possessions and revenues of the late Hospital of Saint John of Jerusalem, in England, and issuing or paid out of the tenements aforesaid called or known by the name of the Inner Temple, or otherwise called the Inner Part of the Temple, London, or out of the Treasure of the same Society of the Inner Temple, or by the Treasurer of the same Society, to be paid yearly; and one other annual rent or payment of ten pounds late parcel of the possessions and revenues of the said late Hospital of Saint John of Jerusalem, and issuing or paid out of the tenements aforesaid, called or known by the name of the Middle Temple, London, or out of the Treasure of the same Society of the Middle Temple, London, or by the Treasurer of the same Society, to be paid yearly; and the reversion and reversions of all and singular the premises and of every part thereof; also the Church, edifices and buildings of the Church used for or dedicated to Divine Worship commonly called the Temple Church; and the Chancel and Nave and Belfrey of the same Church; and Churchyard, Cloisters, and all the chapels, chambers and buildings to the same Church adjacent, "except nevertheless wholly to ourselves our heirs and successors the reservation, nomination, donation and free disposition to the office of Master or Keeper of our House and Church of the New Temple of London aforesaid, and of the Rectory of the aforesaid Church, and the ordination and appointment of the same Master, Keeper or Rector of the House and Church aforesaid, as often as and whenever in future it shall happen to be vacant." To hold unto the grantees their heirs and assigns, "which said Inns, messuages, houses, edifices, chambers and other the premises we will and by these presents for ourselves our heirs and successors strictly command shall serve for the Entertainment and Education of the Students and Professors of the Laws aforesaid residing in the same Inns for ever, yielding annually to us our heirs and successors

[1] See *post*, p. 95.

for the aforesaid premises called or known by the name of the Inner Temple, with the appurtenances, ten pounds of lawful money of England; and for the premises called by the name of the Middle Temple, other ten pounds of like money of England, at the receipt of our Exchequer," etc., "and to hold all and singular the premises of us, our heirs and successors, as of our Manor of East Greenwich,[1] in free and common socage by fealty only, and not in chief, for all services and demands of us, our heirs and successors, therefor to be paid or made." The Charter then provides that the grantees shall from time to time set apart and appoint a convenient Mansion and House near the aforesaid Church for the Master or Keeper of the House and Church and his successors for his residence, and maintain the same at their own proper cost, and pay an annuity of £17 6*s.* 8*d.* to the said Master or Keeper, in part maintenance of him, in equal portions, over and above £20 yearly rent or payment to be

[1] The manor of East Greenwich belonged formerly to the priory and convent of Shene, and was granted by the Prior to the King, 23 Hen. VIII, to be annexed to the patrimony of the Crown (Hasted's "Hist. of Kent," 1778). Prior to the abolition of Feudal tenure by 12 Car. II, c. 24, if the king granted lands without reserving any particular service or tenure the patentee would hold of him in capite by knights-service. The king was empowered by statute 35 Hen. VIII, c. 14, as to the lesser monasteries, and by statute 37 Hen. VIII, c. 20, as to all manors and land not exceeding 40*s.* per. ann. in value, and by whatever title acquired, to grant the same to be holden of the king, either by knights-service in capite, or by fealty in socage or burgage and not in capite. Subsequently by statute 1 Edw. VI, c. 4, it was declared that all estates, without any limit as to value, holden of the king his heirs and successors by knights-service, socage or otherwise as of any of his or their Dukedoms, Earldoms, Baronies, Castles, or Manors which came to the Crown by means of any dissolution, surrender, attainder, conviction, or outlawry should not be taken to be holden in capite or as tenure in capite. Thenceforth Crown grants by Letters Patent, and even statutory grants of Crown lands (see 27 Eliz. c. 27), are frequently found to be in form "Tenendum de nobis et heredibus nostris in libera et commune sociag fidelibat tantum ut de manerio nostris de East Greenwich in Com. Kantiæ." The tenendum "as of our Manor of East Greenwich in free and common socage by fealty only" was a fiction intended to create an estate within the meaning of the statute 1 Edw. VI, c. 4, and to express that the grantee held free of all services except fealty, which is an essential incident to every tenure and cannot be released. This was also formerly a common form in the charters to the old English Colonies in America. An amusing speech was made by Sir James Marriott in addressing the House of Commons on the question of American taxation. He declared "that it appeared to him that the matter had been mistaken throughout the whole argument. It had been contended that America should not be taxed, because she was not represented. But the assertion was untrue, seeing that when we took possession of America, we did so as part and parcel of the Manor of East Greenwich in the County of Kent" (Polsin's "Law and Lawyers" 1858, p. 177). The corresponding stock-manor of the Duchy of Lancaster was the Manor of Enfield in the County of Middlesex. The Manor of the Temple, although originally of the Honor of Leicester and Duchy of Lancaster, ceased to be connected with the Duchy on the vesting in the Crown by 32 Hen. VIII, c. 24.

made by us, our heirs and successors, to the before-mentioned Master or Keeper; and it further provides that the Letters Patent shall be in all respects valid "notwithstanding that no sufficient Office or Inquisition wholly of the said premises, or any part thereof be found, by which our title ought to be found before the completion of these our Letters Patent."

Prior to the Charter of James I, particular portions of the buildings and lands within the precinct and circuit of the places called the Inner Temple and the Middle Temple were appropriated to each Inn, although the boundaries in some cases were ill defined, and some portions were held by the two Societies in common, as already pointed out. The Charter made no difference in this respect, although subsequently the legal title continued in the grantees and their heirs and assigns as joint tenants until the year 1732.

The two yearly fee farm rents of £10 reserved by the Charter out of the Inns and messuages respectively were purchased from the Crown in the year 1673; and as regards the fee farm rent of £10 reserved out of the Middle Temple, it was vested in trustees for the Society by Deed of Bargain and Sale dated the 14th November 1673.

Disputes not unfrequently arising as to boundaries and as to the legal title of property held separately, in the year 1732 the two Societies appointed persons to ascertain the property belonging to each, and in the result a deed was executed on the 2nd November 1732 by which the property so ascertained as belonging to the Inner Temple, and the property so ascertained as belonging to the Middle Temple, were respectively conveyed to grantees in trust in each case for the purposes appointed in and by the above recited Letters Patent, that is to say, to serve and be employed for the entertaining, education, and habitation of the Students and Professors of the Law residing within the Inn from thenceforth for ever.

The subsequent acquisitions by the Society of the Middle Temple of adjoining land are referred to in Sect. V of this Introduction and in Appendix I.

III. OF THE GOVERNMENT OF THE HOUSE[1]

Constitution.

THE Inns of Court are not corporate bodies. They are voluntary societies submitting to government analogous to other ancient seminaries of learning. In the internal management of their affairs the decision of the governing body is supreme, subject only to an appeal to the Judges of the Superior Courts of England as visitors of the Societies, which is the ancient and usual way of redress for any grievance. There is no jurisdiction in the Courts where the dispute is between the Society and a member; the only competent forum to which to appeal is to the Judges; and this applies as well to property in chambers as to discipline. The jurisdiction of the Judges as visitors exists, however, only in relation to actually admitted members. No individual has *primâ facie* an inchoate right to be a member of one of these Societies for the purpose of qualifying himself to practice as a barrister. The governing body may in their discretion admit or not as they please, and neither the Courts nor the Judges have power to interfere. But once a member, if the particular Society refuses to call him to the Bar, he has a remedy, not by mandamus, but by appeal to the Judges, by whom the power to call to the Bar was originally delegated.[2]

Government.

The government of each Inn is vested in the Benchers for the time being, and the number of Benchers is kept up, or increased, as occasion arises, by the Benchers electing others from among the members of the Society. With regard to the Middle Temple by Order dated the 23rd June 1637, it is provided that the Government of the House shall be wholly in the Masters of the Bench by themselves in Term, and by their order in the Vacation. It has been the custom for many years past to appoint annually standing committees from the Benchers, to manage particular matters concerning the House subject to the control of Parliament. The Treasurer and ex-Treasurer are members of every committee.

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[1] See *post*, p. 110.

[2] The authority for the above statement will be found in the following cases: Rex *v.* Benchers of Gray's Inn (1780) 1 Doug. 353; Cunningham *v.* Wegg (1787), 2 Bro. C. C. 240; Rex *v.* Benchers of Lincoln's Inn (1825), 4 B & C 855; Rex *v.* Barnard's Inn (1836), 5 A & E, 17; Neate *v.* Denman (1874), L R, 18 Eq. 127.

Treasurer.

The Treasurer, who is the principal officer of the House, is elected by the Masters of the Bench in Parliament each year, during Michaelmas Term,[1] and he remains in office one year only. He takes precedence of all Masters of the Bench both in Hall and in the Parliament Chamber.[2] He propounds all matters that are to be debated in Parliament. The proceedings in Parliament are conducted now much in the same manner as they were in Dugdale's time. He says: "The Treasurer for the time being sits at the Table bare-headed, and reads such Petitions, and proposeth such matters, as shall be thought convenient for the better government of the House; the Under Treasurer standing by as an attendant: and when the Bench have concluded on any Order, he sees to the entry of it."

Admission to the House.

The admission to the House seems originally to have been by the Treasurer *de bene esse*, but it was not entered in the Parliament Book until approved by Parliament. There is an Order of the 12th May 1557 that no person should be specially or generally admitted by the Treasurer without the consent of the whole Council of Masters of the Bench except in time of Reading, and then by the Reader and his Assistant. It had, however, in Worsley's time come to be looked upon as the Treasurer's prerogative wholly (see *post*, p. 166). Now all admissions to the House are with the approval of Parliament, and any person who has passed the qualifying examination and is able to sign the declaration with regard to certain excluded occupations may on giving security be admitted, subject to such approval.

On the 22nd November 1555 it was ordered that no Common Attorney should be admitted, and in all admissions it should be implied that every gentleman refusing study in order to practise Attorneyship should be dismissed from the Company and have liberty to go and resort to the house of Chancery whence he came.[3] In the year 1635 an Order of the Privy Council relating to the general government of the Inns of Court provided that any gentleman, after admission, becoming or practising as a Common Attorney or Solicitor, should be *ipso facto* expelled. However, these orders do not seem to have been strictly enforced, as on the 2nd May 1656 the

[1] See *post*, p. 169.

[2] Mins. of Parl. 25th November, 1774.

[3] See also *post*, pp. 112, 115.

Bench, while condemning the irregularity, decided that meanwhile they should sit at one table in the Hall by themselves, but their Masterships would have due respect to grave and able attorneys of long continuance; and on the 14th May 1675 it was ordered that no Attorney should be called to the Utter Bar unless after ceasing to practise he shall have continued the full time and performed the exercises required. This matter is now regulated by the Consolidated Regulations of the four Inns of Court.

Worsley refers to two forms of admission as having originally existed, namely, general and special. Under a general admission the person on being admitted had to enter into bond not merely to keep all vacations, but to take his turn in the execution of such offices as should fall to his lot for the celebration of the public Christmas. Special admissions were subject to such exemptions as were expressed in the admission (see *post*, p. 137). After the public Christmases were laid aside there was apparently only one form of admission (see *post*, p. 138). The bond on admission to the Society is now regulated by Order dated 20th January 1854, which provides that the student shall duly obey and perform all Orders of the Society made or to be made for the government of the Society, or members thereof, and pay satisfy and discharge to the Society, or their Under Treasurer, all debts, duties, charges and things which by usage, order, custom, or otherwise, now or shall at any time become due and payable by him to the Society or any officer thereof. By an Order dated 28th May 1858 sureties to the bond are dispensed with in any case where a deposit of £100 is made.

Call to the Bar.

To qualify for call to the Bar, that is, for the degree of Utter Barrister, in Worsley's time the student had to be of six years' standing, and had to perform nine exercises (*viz.* six in vacation, one in term in the Hall, and two at New Inn), and should have kept eight Term Commons and one Vacation Commons; but these Exercises and Commons could be compounded for by a money payment.

The Readers originally were allowed the privilege of calling to the Bar, but since the 3rd May 1611 this privilege has been exercised solely by Parliament;[1] although it is still the duty of the

[1] See also Order in Council, *post*, p. 117.

Reader for the time being, as well as the Treasurer and ex-Treasurer, to be present on call night.

Formerly on call to the Bar the Barrister was obliged to have a chamber in his own name, or agree to purchase one for a term of three years, a formality which cost him £8 4*s*. At the beginning of the seventeenth century, great regard was had to residence of members in the House, but in Worsley's time it was no longer so. After call to the Bar, and whilst he kept his chamber, he had to keep Vacation Commons, and Term Commons, and to perform two Exercises (called Assignments); but in Worsley's time these Commons and Assignments could also be compounded for by an immediate money payment. Formerly he had also to enter into a bond to come into Commons, similar to the bond on admission, but this bond was dispensed with as unnecessary by an Order dated 19 May 1876. Now Barristers on being called to the Bar only sign the Publication of Call Book.

The statute 7 Jac. I, c. 6, providing for the administration of the Oath of Supremacy and Allegiance (as prescribed by the statute of 3 Jac. I. c. 4, sec. 9) to all subjects above the age of eighteen years, required that the Oath of the King's subjects of the Inns of Court should be administered before the Readers and Benchers of the several Houses whereunto they belonged, or four of them at the least, in their open Halls. There was also an Act passed, 25 Car. II, c. 2, which required all persons entered, placed, or taken into any office, or offices, civil or military, to take a similar oath, and a roll called the "Swearing Roll" was thenceforth kept for the purpose in the Court of King's Bench. It was customary for each barrister on call to the Bar not only to take the oath of allegiance in Hall, but also to sign the "Swearing Roll." After the passing of the Promissory Oaths Act, 1868 (31 and 32 Vict. c. 72), substituting a Declaration for the oath in certain cases, the general "Swearing Roll" in the Court of King's Bench was discontinued. A Declaration in Hall was also substituted for the Oath, but this Declaration was shortly afterwards dispensed with. At this time a new roll called the "Roll of Barristers" was instituted in the Crown Office, and it became customary for barristers after call to the Bar to sign this roll in the Court of the Lord Chief Justice. In the year 1887 a question

arose[1] as to the necessity of signing this roll, and Lord Chief Justice Coleridge, after conferring with Master Mellor and Mr. Justice Denman, gave his decision that since the Act of 1868 the signing of the Roll was no longer necessary, and that the admission to the Bar was the act of the Inn of Court, and was complete when the party was so admitted. However, the Roll of Barristers is still kept in the King's Bench Division, and it is customary to sign it after call to the Bar, and where two barristers have been called on the same night at different Inns, the order of signing this Roll has been considered to regulate the order of precedence. It is also useful to barristers intending to practise in the Colonies to obtain a certificate from the Crown Office of having signed the Roll of Barristers of the High Court of Justice in the King's Bench Division.

Anciently there were restrictions on practising even after call to the Bar. For instance, on the 3rd November 1559 it was ordered, by mandate of the justices, that Masters of "le Utter Barre" practising or hereafter desiring to practise, shall not plead at any Bar before they are of twelve years' continuance without leave of the Masters of the Bench on pain of expulsion[2]; on the 28th April 1559 it was ordered, no doubt for the maintenance of good fellowship, that no one of the Inn should be of Counsel against, or implead, another of the same Inn, without leave of the Masters of the Bench; and by Order 20th June 1580 Utter Barristers who had not read were forbidden to practise in "the Starde Chamber" on pain of being "dis-graded and put from the Barre *ipso facto*." It was not until the statute 9 and 10 Vict. c. 54, that all barristers, according to their rank and seniority, were given equal rights and privileges of practising, and pleading, and audience, in the Court of Common Pleas at Westminster with Serjeants-at-Law.

Call to the Bench.

Formerly there were two classes of Benchers, namely, those who had been called to the Bench Table as Associates, and had no voice in Parliament, and those who were subsequently called to the Bench as complete Benchers, with a voice in Parliament. This is exemplified on reference to the Minutes of Parliament with regard

[1] In re Perara, "The Times," Saturday 11th June 1887. [2] See also *post*, p. 115.

to Mr. Whitelock. On the 21st April 1648 he was called to the Bench as an Associate, but on the 27th October 1648 he was called to sit with the Masters in Parliament, "because he is a Commissioner for the Great Seal." Again, on the 8th February 1649-50, Mr. Edward Eltonhead, an Associate, was "by special grace and favour called to the secret council of the House and admitted a complete Bencher." It was usual to call to the Bench a member of the Utter Bar as an Associate in order to his being elected Reader, and it was not until he had read that he became a complete Bencher with a voice in Parliament.[1] Benchers who refused to read continued to be only Associates.[2] No one called to the Bench as Associate was entitled to a Bench Chamber without special order of Parliament.[3] Although the distinction between Benchers as Associates and complete Benchers had ceased in Master Worsley's time (see *post*, p. 126), yet as late as the 24th May 1878 an order was made, but repealed on the 30th April 1880, that the Judges and ex-Judges, and Masters of the Bench becoming Judges, should not take part in any business of Parliament. This was at the time when Serjeants-at-law, who had been members of the House, were readmitted as members. Apparently the only standing Order depriving a Master of his voice in Parliament is the Order of the 28th November 1615, in the case of a Master revealing any matter of counsel debated or spoken of in Parliament holden in the House.

By an Order of the 30th April 1880 it is provided that thenceforth the precedence of Masters of the Bench amongst themselves (except that the Treasurer shall continue to take precedence) shall be governed by one rule only, whether in Hall, or in the Parliament Chamber, or otherwise, and that rule be, that Masters of the Bench have precedence according to the order of their having been invited to the Bench on the first occasion of their having come up. Moreover, under previous Orders made in the year 1878, the appointment of a Master to be Attorney or Solicitor-General, a Judge or

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[1] There are numerous instances in the Minutes of Parliament, *e.g.* Mins. 11th February 1572-3; 25th October 1672; 22nd November 1672; and see extract from Dugdale, *post*, p. 278.

[2] Mins. of Parl. 6th June 1662.

[3] Mins. of Parl. 24th November 1654. The right of Masters to Bench Chambers was put an end to by Order dated 10th January 1870.

Lord of Appeal or Privy Councillor gives him no right to precedence at the Bench. At the Reader's Feast, the Reader, according to ancient custom, is allowed precedence in Hall, and sits at the head of the Bench Table at the south end.

Here must be mentioned an innovation of late years of appointing Honorary Members of the Bench. On the 24th November 1899 the Right Honourable Lord Robertson, Lord of Appeal, was invited to become an Honorary Bencher of this Inn, without being called to the Bar, and with precedence next after the Treasurer for the time being and members of the Royal Family. Again, on the 10th April 1905, His Excellency the Honourable Joseph Choate, American Ambassador, was invited to the Bench as an Honorary Member. It may be very desirable to suspend Standing Orders for the purpose of making Honorary Benchers in special cases, but the question of precedence in such cases may present considerable difficulty.

The method of calling Barristers to the Bench seems always to have been according to their standing in the House, subject to the approbation of the Benchers in Parliament. In Coke's time, the qualification of an Utter Barrister for call to the Bench was twelve years' standing at least, but an Order of the 27th October 1682 provided that no member should be called to the Bench till after fifteen years at the Bar, or King's Counsel, or dignified in some other like character.[1]

Worsley says that in his time the King's Attorney or Solicitor-General and King's Counsel claimed the degree of the Bench as appurtenant to the dignity conferred on him, although it had sometimes been disputed to the King's Counsel. It is now well established that the call to the Bench rests entirely with the Benchers in Parliament, although it is the practice to elect to the degree the Attorney or Solicitor-General as soon as conveniently may be after his appointment. The number of Benchers was by Order dated 3rd November 1882 limited to sixty, and when there is a vacancy, generally it is filled up by electing a King's Counsel, according to seniority, being

[1] 29th October 1602 George Carew (afterwards Sir George Carew), Master in Chancery, was associated with the Masters of the Bench and admitted to sit at table with them; so also Henry Montagu on being chosen Recorder of London in the year 1603; and Matthew Johnson as Clerk of the Parliaments in the year 1691, and many other instances.

a member of the House; but it is the practice to call to the Bench from time to time a limited number of members of the Utter Bar of fifteen years' standing and upwards. Since January 1870 all Masters on being called to the Bench pay one hundred guineas to the Society, but they no longer have any option to Bench Chambers. Previously, Queen's Counsel paid three hundred guineas, and those not Queen's Counsel, two hundred guineas.[1]

Master His Majesty the King is now the Senior Bencher of the Middle Temple. His admission as a member of the Inn when Prince of Wales is one of the memorable events in the history of the Middle Temple. It was during the Treasurership of Master James Anderson, Q.C., on the 31st October 1861, on the occasion of the opening of the new Library. His Royal Highness having intimated his pleasure to be admitted a member of the Society, the proceedings as recorded in the Minutes of Parliament were as follow:

"31st October 1861. Motion by Master Treasurer, seconded by Master the Lord Chancellor.

"Ordered: That His Royal Highness the Prince of Wales be admitted a member of the Middle Temple.

"Whereupon His Hoyal Highness signed the Admission Book.

"Ordered: That His Royal Highness be called to the degree of the Utter Bar and that the oath on Publication of the Call be dispensed with.

"Whereupon His Royal Highness signed the Publication of Call Book.

"Motion: That His Royal Highness be invited to the Bench, which being carried unanimously His Royal Highness was so invited, which invitation His Royal Highness was graciously pleased to accept.

"His Royal Highness robed in a black silk gown took his seat at the Bench on the right of Master Treasurer.

"On Motion of His Royal Highness, seconded by Master Treasurer,

"Ordered: That at the adjournment of this Parliament the Bench do proceed to open the Library.

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[1] See Parl. Rep. 1855. As to the origin of this payment see *post*, pp. 125, 126.

"On being adjourned, the Bench proceeded to the Library and His Royal Highness declared his pleasure the Library be now opened.

"This was followed by a Déjeuner in the Hall, and also in a Pavilion erected for the purpose in Fountain Court."

The Bench having ascertained that His Royal Highness would be willing to accept the office of Treasurer of the Society, at a Parliament holden on the 19th November 1886, on the motion of Master Sir Thomas Chambers, seconded by Master Peter Henry Edlin, Q.C., it was ordered that Master His Royal Highness the Prince of Wales be and is hereby confirmed Treasurer of the Society for the year ensuing.

Master Peter Henry Edlin was appointed Deputy-Treasurer.

His Royal Highness during his year of office dined in Hall on Trinity and Michaelmas Grand Nights; and on the expiration of his year of office he presented to the Society a very handsome antique loving-cup, richly engraved, which has ever since been used in Hall on every Grand Night and Reader's Feast.

On the 2nd November 1903, the Grand Night of Michaelmas Term, His Majesty again honoured this Society by dining in Hall as Senior Bencher.

His Royal Highness the late much lamented Prince Albert Victor of Wales was also graciously pleased on the 10th June 1885 to be admitted a member of this Society and to be called to the Bar; and on the invitation of the Benchers took his seat at the Bench. The same night His Royal Highness dined in Hall as a Bencher, together with his illustrious father.

IV. OF THE METHOD OF LEARNING

IN the history of the Inns of Court it is important to observe how they gradually evolved from the collegiate institutions of the Middle Ages. Anciently they were the highest order of collegiate institution in the land, to which the sons of the nobility and best gentry resorted as a matter of course to complete their studies. For this reason the students were called Apprenticii nobiliores. The

name Inns of Court is said to be derived from the fact that these institutions were academies for learning all things fit to qualify the students for the high stations of life in the King's Court. Sir Henry Chauncy, who was Treasurer of the Middle Temple in the year 1685, says in "Antiquities of Hertfordshire,"[1] "These Societies were excellent seminaries and nurseries for the education of youth, some for the Bar, others for the seat of Judicature, others for Government, and others for the Affairs of State." This is no less true now than it was in the days of Fortescue or Chauncy.

Reference has already been made (see *ante*, p. 11) to three of the famous schools of learning spoken of by William Fitzstephen, and their gradual transition into fellowships and companies connected with the law.

Temp. Fortescue.

Sir John Fortescue in his "De Laudibus Legum Angliae" (Cap. XLIX), written in French while in voluntary banishment with Prince Edward, son of Henry VI (1470), explains to his royal pupil the Disposition of the General Study of the Laws of England; of the Inns of Chancery and the Inns of Court. He says that after the students have made some progress in the Inns of Chancery, and are more advanced in years, they are admitted into the Inns of Court, properly so called. "Of these there are four in number. In that which is the least frequented there are about two hundred students. In these greater Inns a student cannot well be maintained under eight and twenty pounds a year. And if he have a servant to wait on him (as for the most part they have) the expence is proportionably more: For this reason, the students are sons to persons of quality; those of an inferior rank not being able to bear the expences of maintaining and educating their children in this way. . . . There is both in the Inns of Court, and the Inns of Chancery, a sort of an Academy or Gymnasium, fit for persons of their station; where they learn singing, and all kinds of music, dancing and such other accomplishments and diversions (which are called Revels) as are suitable to their quality and such as are usually practised at Court. At other times, out of term the greater part apply themselves to the study of

[1] Vol. ii, p. 431, reprint 1826.

the law. Upon Festival Days and after the Offices of the Church are over, they employ themselves in the study of sacred and prophane history. Here everything which is good and virtuous is to be learned: All vice is discouraged and banished. So that Knights, Barons, and the greatest Nobility of the Kingdom often place their children in those Inns of Court; not so much to make the laws their study, much less to live by the profession (having large patrimonies of their own), but to form their manners and to preserve them from the contagion of vice. The discipline is so excellent, that there is scarce ever known to be any picques or differences, any bickerings or disturbances amongst them. The only way they have of punishing delinquents, is by expelling them the Society: which punishment they dread more than criminals do imprisonment and irons. For he who is expelled out of one Society, is never taken in by any of the other. Whence it happens that there is a constant harmony among them, the greatest friendship and a general freedom of conversation."

Tudor Period.

The most authentic account of the Inns of Court, and of the method of learning pursued therein, during the first half of the sixteenth century, is to be found in a Report prepared by the command of and presented to King Henry VIII by Thos. Denton, Nic. Bacon and Rob[t] Cary.[1] It deals with the sorts and degrees of the members, and the orders regulating the exercise of learning, and manner of reading and mooting. The compilers state it to have been made upon the diligent search and perusing of all the Orders of the Houses of Court compendiously to set forth to the King the best form and order of study practised therein and all their Orders and Rules meet to be used and observed among them that profess study and learning. They state that the whole company and fellowship of Learners is divided and sorted into three parts and degrees, that is to say, into Benchers, or, as they call them in some of the houses,

[1] See "Fortescutus Illustratus" (1663), by Edw. Waterhous. The report was probably made shortly before the year 1547. Besides the above Official Report there is the MS. *temp.* Henry VIII, Vitellius, C. ix, No. 34, in the Cottonian Library, relating to the same subject, and referred to by Sir William Dugdale, and from which he and also Stow drew most of their information relating to the Middle Temple. The whole of this MS. is set out in Herbert's "Antiquities of the Inns of Court" (1804), pp. 211-222, concluding at the end of the paragraph entitled "Their usage in Time of Pestilence."

Readers, Utter Barristers, and Inner Barristers; and after describing these three degrees they proceed to state the order and exercise of learning and manner of reading and mooting. At that time at their Moots, the Inner and Utter Barristers pleaded and reasoned in French[1] and the Benchers in English, but at their Readings, the Readers' Cases were put in English and so argued unto. The method of learning, reading and mooting was the same as when Coke (1602) and afterwards Dugdale[2] (1666) wrote.

We find in this Report to the King but slight reference to the manner of keeping Christmas and the "other accomplishments and diversions" commended by Fortescue, although in 1561 (4 Eliz.) "the revels" had attained to an almost incredible extravagance, as appears from the account given by Gerard Leigh and by Sir William Dugdale as to the Grand Christmas kept at the Inner Temple in the 4th year of Queen Elizabeth.[3] The other Inns had similar revels. Stow, in his "Survey of London" (1598), speaking of the manner of keeping Christmas in the Inns of Court, says, "During the time of Christmas, they have several divertisements; as feasting every day, musick, singing and dancing, with dicing. To the dicing all comers are admitted[4]; and it is so excessive, having such abundance of

[1] French continued to be the legal language until 1731 (4 Geo. II, c. 26), notwithstanding the statute of 26 Edw. III (1362-3) provided that pleas should be in English, but entered and enrolled in Latin. On the 3rd November 1570 a Master of the Utter Bar was put out of Commons for having used English in a suit in the Guildhall before the Chief Justice (see Cal. p. 17).

[2] Sir William Dugdale in the "Origines Juridiciales" brings down the history of the Middle Temple to the year 1666, but his account has more particular reference to the MS. *temp.* Hen. VIII, Vitellius, C. ix, No. 34. His account of the ceremonies and revels which took place on the appointment of Reader is given in Appendix II. The entertainments given during Readings continued, notwithstanding orders to restrain the exorbitant expenses, until finally suppressed by an Order of the 25th June 1680 (*post*, p. 125).

[3] This is set out in Appendix IV.

[4] By Order of Parliament 9th February 1582 (24 Eliz.) "No diceing shall be allowed at Christmas on pain of being put out of Commons." Again, by Order 25th November 1584 (27 Eliz.), "None shall play at dice or cards within this House, neither in the Hall, nor in the chambers, at any time of year, on pain of expulsion." But later we find among the Orders recommended by the Judges, 7th November 1614 (*post*, p. 116): "None shall play in the several Halls at dice, except gentlemen of the Society and in Commons; and the benefit of the boxes to go to the butlers"; also further orders 25th November 1631 and 24th November 1637: "None but of the Society shall keep any box where any dicing shall be" and "No unworthy persons to frequent the Hall or use gaming there or in any room of the House."

tables placed in the Hall, that what comes to the Box generally amounts to about £50 a day and night; so that by this, with a small contribution from each student, the great charge of the whole Christmas is defrayed. But these revellings and playings give occasion to so much mischief by the people's losing their money and apprentices stealing from their Masters, that it is but seldom allowed of and it could be wished it were to be no more. Sometimes, when they have a young gentleman that will be profuse, they create him a Prince with such a title as they please; and he hath all his Officers and a Court suitable to a great Prince: And then most of the principal Nobility, publick Officers of State, with the chief of the gentry, are splendidly treated and feasted, with curious musick interludes, etc. From All-Saints Day to Candlemas, each House usually hath Revels on Holidays, with Musick and Dancing: And then some young Student is chosen Master of the Revels."

It appears from the Middle Temple Records that at the Parliaments held in the month of November in each year during the reign of Philip and Mary (1554 to 1558) appointments were made to the offices of Marshal, Butler, Masters of the Revels, Constable at the Tower, and Marshal's Constable. The form of bond entered into by students on being admitted to the Inn enforced by penalty the acceptance of these offices, and they subjected themselves to heavy fines in the event of refusal. However, the appointment to these offices (except in a few instances where we find the appointment of Steward and Marshal for Christmas) ceases in our Records from the commencement of the reign of Elizabeth (1558), and in February 1560 (3 Eliz.) it was ordered that gentlemen of this Inn shall not set up any "Lord of Mysrule" except at a grand Christmas without the assent of the Masters of the Bench. In November 1560 we find an order that no solemn Christmas be kept, and this was followed by a similar order almost every subsequent November, but "a cartload of coals and expenses for the minstrels at Christmas shall be allowed as usual." The extravagances in connection with Readers' Feasts, and on the appointment of Serjeants, continued for some time longer, and the items "Feast at All Saints" and "Music at All Saints" appear almost regularly in the accounts until the year 1706.

Temp. Coke.

When Sir Edward Coke wrote,[1] about the year 1602 (44 Eliz.), although the collegiate and social character of the Inns of Court was still maintained yet they had ceased to be Inns to which the young nobility and gentry resorted as a matter of course, "and there resided to acquire parts of virtue and action and to compleat themselves as good Christians and stout gentlemen,"[2] and had come to be recommended for their excellent professional training. Sir Edward Coke says, "For the young student, which most commonly cometh from one of the Universities, for his entrance or beginning were first instituted and erected eight Houses of Chancery, to learn there the elements of the law, that is to say, Clifford's inn, Lyon's-inn, Clement's-inn, Barnard's-inn, Staple's-inn, Furnival's-inn, Thavie's-inn, and New-inn; and each of these houses consist of forty or thereabouts: for the Readers, Utter-barristers, Mootemen, and inferior Students, are four famous and renowned Colleges, or Houses of Court, called the Inner Temple, to which the first three Houses of Chancery appertain; Grays-inn, to which the next two belong; Lincolns-inn, which enjoyeth the last two but one; and the Middle Temple, which hath only the last.[3] Each of the Houses of Court consists of Readers [*in marg.* "or Benchers"] above twenty; of Utter-barristers above thrice so many; of young gentlemen about the number of eight or nine score, who there spend their time in study of law, and in commendable exercises fit for gentlemen. The Judges of the law and Serjeants, being commonly above the number of twenty, are equally distinguished into two[4] higher and more

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[1] See Coke's Reports, Part 3, p. xxxv.

[2] "Fortescutus Illustratus" (1663), p. 527. By an Order of Parliament 20th June 1580 "Gentlemen are prohibited from suing by noblemen's letters or otherwise for their calling and preferment to the Bar, on pain of disgrace"; and by an Order 26th October 1604 Readers are permitted to admit, on special terms, "noblemen, knights and gentlemen of account who desire to be admitted, but shall not mind to continue here in Commons."

[3] Strand Inn, called also Chester Inn, previously had belonged to the Middle Temple. It stood near the church of St. Mary le Strand, and was destroyed in the reign of Edward VI, to make room for the building of Somerset House, the students having previously removed to New Inn (see Herbert's "Inns of Court," p. 284).

[4] The two Inns here referred to by Sir Edward Coke were Serjeants Inn, Chancery Lane, demised to Roger Horton and William Cheney in the year 1416, and Serjeants Inn, Fleet Street, held under a demise (*temp.* Edward VI) from Sir Edward Montague, who, Stow says, acquired it by purchase, jointly with John Champanet, from Edward VI. In the year 1758, on the expiration of their lease, the members who were then lodged in this Inn joined

eminent Houses, called Serjeants-Inn: all these are not far distant from one another, and altogether do make the most famous university for profession of law only, or of any one human science that is in the world, and advanceth itself above all others, *quantum inter viburna cupressus*. In which Houses of Court and Chancery, the readings and other exercises of the laws therein continually used are most excellent and behoofful for attaining to the knowledge of these laws."

Stow,[1] writing about the same time as Sir Edward Coke, gives a full account of the Inns of Court and their methods of learning. He says that the Houses of Court are replenished partly with young students and partly with graduates and practisers of the Law; but the Inns of Chancery are chiefly furnished with Officers, Attornies, Solicitors, and Clerks that follow the Courts of the King's Bench and Common Pleas, and yet there want not some others, being young students, that come thither sometimes from one of the Universities and sometimes immediately from Grammar Schools. The latter, having spent some time in studying upon the first elements and having performed exercises of their own Houses, proceed to be admitted and become students in some of the four Inns of Court, where after 7 years or thereabouts frequenting exercises, etc., they are either by the general consent of the Benchers or Readers, or by the special privilege of the present Reader there, selected and called to the degree of Utter-Barrister and so enabled to be common Counsellors and to practise the law, both in their Chambers and at the Bars. Of these, after they are called to a further step of preferment called the Bench, there are two every year chosen among the Benchers of every Inn of Court to be Readers there, who make their

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the Inn in Chancery Lane (see Pulling, pp. 126, 127). There had been another Serjeants' Inn in Holborn: "Juratores dicunt quod Guido Fairefax miles, nuper unus Justitiariorum Domini Regis ad placita coram ipso tenenda assignat fuit sesitus in dominico suo ut de feodo de uno messuagio sive tenemento vocat Serjeants Inn, situato ex opposito Ecclesiæ Sti. Andreæ Holdborne in civitat. London, cum duobus gardinis, duobus Cottagiis eidem Messuagio adjacentibus." This was conveyed to Sir John Scrope by Indenture dated 8th February 9 Hen. VII (1494), and was then called Scrope House (see Discourse of Francis Thynne "Of the Antiquity of the Houses of Law," pp. 125-6 in Hearne's "Collection of Curious Discourses," 1720).

[1] "Survey of London," 1st ed. 1598, but see ed. 1754, cap. xxi.

Readings at two times in the year, that is, one in Lent and the other at the beginning of August. And for the help of young students in every of the Inns of Chancery they likewise choose out of every Inn of Court a Reader there, being no Bencher but an Utter Barrister of 10 or 12 years continuance and of good profit in study.

Stow further says: "Utter Barristers are such as from their learning and standing are called by the Benchers to plead and argue in the Society doubtful cases and questions, which are called Moots, and whilst they argue the said cases, they sit uttermost on the Forms of the Benchers which they call the Bar. All the rest of the Society are accounted Inner Barristers, who for want of learning or time are not to argue in these moots. Yet in a Moot[1] before the Benchers, two of these, sitting upon the same Form with the Utter Barristers do for their Exercises recite by heart the pleading of the same Moot Case in Law French; which Pleading is the Declaration of the said Moot Case at large; the one taking the part of the Plaintiff, and the other of the Defendant. For the times of these Mootings, they divide the Year into three parts viz. (1) The Learning Vacation,[2] (2) The Term Times, and (3) The Dead or Mean Vacation. They have two learning Vacations, namely, Lent which began the 1st Monday in Lent and continued 3 weeks and 3 days, and Summer Vacation which began the Monday after Lammas Day and continued also three weeks and 3 days. And in these Vacations are the greatest conferences and Exercises of Study. In the Term Time the only exercises of Learning are arguing and debating cases after dinner and mooting after supper in the same manner as in the Vacations. The time between the Learning Vacations and Terms is called the Mean Vacation, during which time every day after dinner cases are argued as at other times, and after supper Moots are brought in and pleaded by the Inner Barristers, in the presence of the Utter Barristers which sit there in the room of the Benchers."

Temp. James I. According to Edward Waterhous,[3] by command of King James,

[1] For the ceremony which took place at Moots see Appendix III.

[2] Dugdale calls this the Grand Vacation.

[3] "Fortescutus Illustratus" (1663), pp. 527, 528.

none was to be admitted to the Inns of Court but a gentleman by descent, and that most men then repaired thither for fashion and to spend money. Sir George Buc writing a few years later[1] says that the young gentlemen who study and practise in the four Inns of Court are the sons of the best or better sort of gentlemen of all the shires of England, bred and brought up liberally in good schools and other universities. But notwithstanding the fashionable character of the Inns of Court, the mooting still continued during the reigns of James I and Charles I.[2]

Temp. Finch.

Heneage Finch (afterwards Lord Chancellor of England and 1st Earl of Nottingham) became a member of the Inner Temple in 1638, and according to Lord Campbell in the "Lives of the Chancellors,"[3] laying to heart the maxim "a law student ought to read all the morning and to talk all the afternoon," regularly attended the disputations after supper in the Cloister walks. However, according to the same authority,[4] in the time of John Somers (afterwards Lord Chancellor of England and Lord Keeper of the Great Seal and Lord President of the Council) who became a member of the Middle Temple in 1669, the Readings and Moots by which the study of the law had been carried on since the establishment of the Inns of Court were then falling into desuetude, the Exercises by which proficiency was tested were becoming empty forms, and the system of pupillage was beginning. It was with the object of encouraging the *ars bablativa* that Sir Heneage Finch decided in favour of rebuilding the Temple Cloisters after the fire of January 1679: "It was considered whether the old cloister walks should be

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[1] "A Discourse or Treatise of the Third Universite of England" in Edmund Howe's edition (1631) of Stow's "Annales."

[2] There is the following entry in Sir Symonds D'Ewes' "Autobiography" (1845 edition, by J. O. Halliwell), vol. i, p. 232: "On Thursday, the 10th day of July [1623], after our supper in the Middle Temple Hall ended, with another utter-barrister, I argued a moot at the bench to the good satisfaction of such as heard me. Two gentlemen under the Bar arguing at first in law French, bareheaded, as I did myself before I was called to the Bar at the cupboard. This was the first legal exercise I performed after I was called to the Bar, after which many others followed." On p. 234 he gives an account of Serjeant Brampton's two readings, on Monday 4th August, and Wednesday 6th August 1623, prior to his full investiture as Serjeant in Michaelmas Term.

[3] Fourth ed., vol. iv, p. 237.

[4] Vol. v, p. 60.

rebuilt, or rather improved into chambers; which latter had been for the benefit of the Middle Temple. But in regard it could not be done without the consent of the Inner House, the Masters of the Middle House waited upon the then Mr. Attorney Finch to desire the concurrence of his Society upon a proposition of some benefit to be thrown in on that side; but Mr. Attorney would by no means give way to it, and reproved the Middle Templars very wittily and eloquently upon the subject of students' walking in the evening there and putting cases, which he said was done in his time as mean and low as the buildings were then. 'However it comes,' said he, 'that such a benefit to students is now made so little account of.' And thereupon the cloisters by the order and disposition of Sir Christopher Wren were built as they now stand."[1]

The Civil Wars (1642-1648) and the subsequent disturbed state of the country must have seriously affected legal study in the Inns of Court. We find the following Minute of Parliament 13th May 1647: "By reason of the great troubles of the kingdom there has been a discontinuance of commons and dispersion of the Society, and no mooting or arguing of cases, but now all passages are open to and fro all parts of the kingdom, and there is a competent number of students and Barristers, vacationers, met in commons, residing in or about the House and town. The exercise of mooting shall therefore begin on Tuesday next, 18 May, and every Barrister vacationer who has not compounded or performed his assignments, now in commons or living in or about the town, must submit to this order that he may be assigned in his antiquity to perform the said exercise. Those refusing will be liable to forfeitures and penalties."

It is interesting to note that although no Readers appear to have been appointed between the years 1646 and 1660, and consequently there were no Readers' Feasts, yet during the Commonwealth there was much of the old hilarity in the Temple. In the "Extracts from Accounts" are to be found such items as these:

"27th Feby 1653-4. Dancers and others, gratuity for instructing the gentlemen 'and for occasions of the House of that nature' . . . . . £20.

[1] "Life of Lord Keeper Guilford," vol. i, p. 26; see Jessopp's edition, p. 25.

"12th Feby 1655-6. Hilary Term, Revels, Candles,
six Torches, Marshal's staff . . . . . £19. 6. 9."

Similar entries appear each year in the Accounts for 1657-1660, and also for stage plays. At the Restoration (1660) we are not surprised to find "Bonfires at the Gate" on the Proclamation, Coronation and Birthday of the King, and on other important occasions; and during the rest of the King's reign the feasts at Candlemas, at All Saints (All Hallows) and at Christmas were kept with music and acting.[1]

Temp. Roger North.

Roger North,[2] in his "Discourse on the Study of the Laws," written probably towards the end of the seventeenth century, after referring to the study of the Civil Law at the Universities, says: "But for the Common Law, however, there are Societies which have the outward show, or pretence of collegiate institutions; yet in reality, nothing of that sort is now to be found in them; and, whereas, in more ancient times, there were exercises used in the Hall, they were more for probation than institution; now even those are shrunk into mere form, and that preserved only for conformity to rules, that gentlemen by tale of appearances in exercises, rather than any sort of performances, might be entitled to be called to the Bar."

Although, no doubt, at all times, ardent students of the law were to be found in the Temple, yet Steele, writing in "The Spectator" in the early part of the eighteenth century, seems to have been better acquainted with two other classes of residents, namely, the eldest son and heir sent up to London, to be admitted to the Temple, not so much with a view of his studying the law as a desire to improve his breeding[3]—and the member of The Spectator's Club, "who is a member of the Inner Temple, a man of great probity, wit, and under-

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[1] All Saints play, November 1675-6, was "acted by H.R.H. Company of Comedians," and Candlemas play, February 1682-3 and 1683-4, "by His Majesty's Company of Comedians." Some of the plays mentioned in the Accounts are: "Wit without Money," "Will Burgon," "Love and Honour," and "The Countryman and Clown"; see also *post*, p. 274, note.

[2] The Hon. Roger North was born 1650, admitted to the Middle Temple 1669, chosen Treasurer 1683, and died 1733. He was a younger and devoted brother of Francis North, afterwards the Lord Keeper Guilford.

[3] "The Spectator," No. 151, 3rd September 1713.

standing; but he has chosen his place of residence rather to obey the direction of an old humoursome father than in pursuit of his own inclinations. He was placed there to study the laws of the land, and is the most learned of any of the house in those of the stage. Aristotle and Longinus are much better understood by him than Littleton or Coke. . . . He knows the argument of each of the orations of Demosthenes and Tully, but not one case in the reports of our own courts."[1]

Temp. Worsley.

With this information the reader may now study "Master Worsley's Book," and the additions made thereto by Downing and Kirby, bringing us down to the year 1750. At this period, as already mentioned, all exercises and vacations could be compounded for. But as Master Worsley observes (see *post*, p. 117), the Societies were still looked upon not only as seminaries of law, but as places designed for the education of the sons of gentry, many not thinking their sons duly educated until they had passed some time in some Society of Law, though they never designed to practise or even to be called to the Bar.

Temp. Blackstone.

From the earliest times, and even in the seventeenth and eighteenth centuries, the only way the student or practitioner could learn modern law was by attending Court, taking or borrowing notes, and discussion; and until the appearance of Sir William Blackstone's "Commentaries," the English law was, in fact, without any elementary or institutionary work which might facilitate the arduous progress of the student.[2] Sir William Blackstone (who became a member of the Middle Temple in 1741), writing in the year 1766, says:

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[1] "The Spectator," No. 2, 2nd March 1711.

[2] See Roger North's "Discourse on the Study of the Law," notes, p. 71, and Dr. Holdsworth's "History of Law," vol. ii, p. 454. Roger North (p. 41) suggested the following books for the course, with aids:

COURSE	AIDS
Littleton Perkins	Terms of the Law. Diversity of Courts. Old Tenures, and Doctor and Student.
Plowden	Fitzherbert's Natura Brevium. Crompton's Jurisdiction of Courts. Staunford's Pleas of the Crown.

"I think it past dispute that those gentlemen who resort to the Inns of Court with a view to pursue the profession, will find it expedient (whenever it is practicable) to lay the previous foundations of this, as well as every other science, in one of our learned universities. We may appeal to the experience of every sensible lawyer, whether anything can be more hazardous or discouraging than the usual entrance on the study of the law. A raw and unexperienced youth, in the most dangerous season of life, is transplanted on a sudden into the midst of allurements to pleasure, without any restraint or check except what his own prudence can suggest; with no public direction in what course to pursue his enquiries: no private assistance to remove the distresses and difficulties, which will always embarrass a beginner. In this situation he is expected to sequester himself from the world, and by a tedious lonely process to extract the theory of law from a mass of undigested learning; or else by an assiduous attendance in the Courts to pick up theory and practice together, sufficient to qualify him for the ordinary run of business. How little therefore is it to be wondered at, that we hear of so frequent miscarriages. . . . The evident want of some assistance in the rudiments of legal knowledge has given birth to a practice, which, if ever it had grown to be general, must have proved of extremely pernicious consequence: I mean the custom, by some so very warmly recommended, to drop all liberal education, as of no use to students in the law; but to place them, in its stead at the desk of some skilful attorney; in order to initiate them early in all the depths of practice, and render them more dextrous in the mechanical part of the business. Making therefore due allowance for one or two shining exceptions, experience may teach us to foretell that a lawyer thus educated to the bar, in subservience to attorneys and solicitors,

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Course	Aids
Hen. VII	Coke's Jurisdiction of Courts.
Keilway	—— Pleas of the Crown.
	—— Commentary on Magna Charta.
Leonard	Petit Brook.
Coke's Reports	Coke on Littleton.
Dyer	Bracton.
Moor	Britton.
Crook	Fleta.
Palmer	Glanville.

will find he has begun at the wrong end. If practice be the whole he is taught, practice must also be the whole he will ever know; if he be instructed in the elements and first principles upon which the rule of practice is founded, the least variation from established precedents will totally distract and bewilder him: *ita lex scripta est* is the utmost his knowledge will arrive at; he must never aspire to form, and seldom expect to comprehend, any arguments drawn *a priori*, from the spirit of the laws and the natural foundations of Justice."

If it be true what is stated in the Preface to "The History and Antiquities of the Four Inns of Court" (by an anonymous editor), printed for G. Kearsley, 1780, and published by desire of some Members of Parliament, in order to point out the abuses in the government of the Inns of Court at that time, not only was the only qualification for call to the Bar the keeping of terms by eating a certain number of dinners in Hall, but the training of students by the governing bodies of the Inns was then entirely neglected, and respect for professional etiquette by many of the practising barristers, and even the judicial conduct of many of the judges had fallen to the lowest ebb. It is probably an exaggerated statement, for notwithstanding the strictures of the anonymous editor of the work referred to, and notwithstanding the public indifference then shown for morality and education, it was a period when some of the greatest legal intellects adorned the Judicial Bench, and the Inns of Court were serving as nurseries not only of very eminent future lawyers but also of men of the greatest political and literary ability.[1] But that there was considerable foundation for the strictures with regard to the want of systematic legal education is shown by an incident referred to by Lord Campbell, in his "Lives of the Chancellors."[2] At the end of the eighteenth century Sir James Mackintosh being struck with the defective state of legal education in England, proposed to give a course of lectures on "The Law of Nature and Nations," in Lincoln's Inn Hall, and it was only owing to the interference and persuasion of Lord Loughborough that permission was

[1] Mr. C. E. A. Bedwell in "The Middle Temple" (1909), Chap. vii, notes the extraordinary range of occupations and positions in which members of the Middle Temple have at all times distinguished themselves, and especially during the eighteenth century; see also Chap. iii.

[2] Fourth ed. vol. viii, p. 165.

ultimately granted. Lord Campbell's remarks on this incident are a scathing comment on the then want of consideration by the Benchers of his Inn for the advancement of legal studies, and throws much light on the state of things at that time.

Revival in 1833.

In 1833 the Inner Temple instituted two lectureships, but although the lecturers were eminent men, the attendance became so small that after two years they ceased. In 1847 the Inner Temple established a lectureship on Common Law, whilst at the Middle Temple lectures were delivered upon Jurisprudence and the Civil Law. The attendance of members was not numerous at either Inn, although at the Inner Temple examinations were held at which prizes were given by the Society. These lectureships continued until the year 1851. In the year 1847 the Society of Gray's Inn established, with very beneficial results, a course of lectures, followed by voluntary examinations in which the students were classed; and the lecturer (in one department) also presided over discussions similar to the Moots.

Council of Legal Education.

In the year 1851 the Solicitor-General (Sir W. P. Wood) caused a general meeting to be convened of the Benchers of the four Inns of Court, with a view to provide for the better instruction of the students. The result was the establishment of a Council of Legal Education, consisting of eight members, two being selected by the Benchers respectively of each of the four Inns of Court, and holding their offices for two years; and the passing of definite regulations for providing readers, who should give lectures and hold private classes for the better instruction of the students. The readers, under the direction of the Council, at stated intervals conducted a voluntary examination of the students; the attendance at the lectures being compulsory, unless in the case of those who submitted themselves to such voluntary examination. Public examinations were held three times a year, and studentships of fifty guineas a year were founded by the Inns of Court, to be held for three years by the student on each occasion passing the best examination; and certain other advantages were offered to those who distinguished themselves in such examination."[1]

[1] See Parl. Rep. 1855.

In the year 1854 a Commission was appointed to inquire into the arrangements in the Inns of Court for promoting the study of the Law and Jurisprudence. The Commissioners in their Report in 1855 came to the conclusion that there ought to be a test both of the general and the professional knowledge of every candidate for the Bar, and made recommendations as to the best mode of carrying into effect such a system of instruction as they conceived to be necessary.

Joint Committee.

No alteration, however, took place until the year 1872, when the four Inns of Court, adopting a Report of a Joint Committee on Legal Education, ordered that no student should be called to the Bar unless he had passed a public examination for the purpose of ascertaining his fitness.

Consolidated Regulations.

The education and examination of students, as well as the admission of students, the mode of keeping terms and calling of students to the Bar, are now regulated by the Consolidated Regulations of the four Inns of Court. By these regulations a Council of Legal Education is constituted consisting of twenty Benchers, five nominated by each Inn of Court. The Council appoint a Committee or Board of the Members of the Council, who, subject to the control of the Council, superintend and direct the education and examination of students, and all matters of detail. In furtherance of the objects of the Council a permanent staff of eight Readers, and a permanent staff of Assistant Readers for elementary classes, have been appointed; and the Council also engage the services of Lecturers on particular subjects. Studentships are awarded for the encouragement of students, and defrayed out of the Common Fund provided by the four Inns of Court to meet the expenses of the Council. In the month of July 1905 Mr. W. Blake Odgers, K.C., LL.D., Recorder of Plymouth, and a Bencher of the Middle Temple, was appointed by the Council to be Director of Legal Education. Besides being himself one of the Readers he is at the head of the staff of Readers and Assistant Readers, and *ex officio* Chairman of the Board of Examiners, and among other duties he has to advise students as to their course of reading.

In concluding this section the writer ventures to hope that while providing a sound legal education the authorities may not underestimate the importance of maintaining the Inns of Court in accordance with their foundation and history as seminaries "*pro hospitacione et educacione*," for qualifying students for all the higher stations of life by close association and intercourse, and love for Domus and its surroundings: that, regardless of personal advantage, they may disseminate those high and honourable principles for which the Inns of Court have at all times been famous. May they ever continue "the noblest nurseries of humanity and liberty in the kingdom." [1]

V. OF THE COURTS AND BUILDINGS [2]

SUPPLEMENTARY to what is contained in "Master Worsley's Book" some remarks relating to the buildings in the Middle Temple may be of interest. The sources of information for this purpose are derived principally from documents of title, Minutes of Parliament, old plans, and old engravings and photographs. It is impossible to trace or understand the history of the buildings in the Temple without constantly referring to the plans, or to appreciate the changes which have taken place without referring to the engravings or etchings of the old buildings. The plans published by the Topographical Society of London earlier than the plan of the buildings made in the year 1671 and Ogilby's block plan of 1677, although of great interest as showing the area and vicinity of the Temple, are otherwise of very little assistance. The plans of 1671 and 1677 having been made prior to the Great Temple Fire of 1679 are invaluable, and together with the plan on the Partition Deed of the 2nd November 1732, and the excellent composite block plan prepared by our surveyor, Mr. H. J. Wadling,[3] from old

[1] See Ben Jonson's dedication to the Inns of Court of "Every Man Out of His Humour," Gifford (1816), vol. ii.

[2] See *post*, p. 100.

[3] Mr. Wadling's plan is intended to be merely descriptive, and not authoritative as to

and modern plans in the surveyor's office, have been of the greatest assistance. Fortunately photographs were taken in the year 1858 and subsequently of buildings which have been pulled down, and from a selection of these the etchings have been made by Miss Whitlaw. The engravings have been reproduced by Mr. Emery Walker.

Earliest Records.

Originally, as already mentioned,[1] the chief mansion in England of the Knights Templars was in Oldbourne or Holborn, being wholly or for the most part the plot of ground whereupon Southampton House and adjacent buildings were subsequently erected. It was at first called the Military Temple, but about the year 1184, or a little earlier, the Templars acquired the plot of ground on the River Thames for a new habitation, and then it was called Vetus Templum, or Old Temple, to distinguish it from Novum Templum or the New Temple. The new habitation is described by Dugdale as being "over against the end of a Street heretofore called New Street but now Chancery Lane, and contained all that space of ground from the White-fryers westward unto Essex-house without Temple-Barr."[2] The writer of the Petyt MS. No. 538,[3] referring to the plot of ground so purchased, says, "of whom the same was so purchased or

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dimensions or boundaries. The following figures as to the respective areas of the Middle Temple and Inner Temple, taken by measurement from the Ordinance Plan, are interesting:

Middle Temple area in City (excluding site of Dick's Coffee-house)	5·052 acres	
Middle Temple area outside City (excluding sites of Essex Street houses)	·657 „	5·709
Inner Temple area		9·712
Master's House and garden, Church and Churchyards (North and South of Church)		·845
	Total acreage	16·266

[1] See *ante*, p. 13.

[2] "Chauncellereslane," as it was anciently called, was probably so named after Ralph Neville, Chancellor of England and Bishop of Chichester, *temp.* Henry III. Herbert ("Inns of Court," p. 292) says that in the time of Edward I it was so foul and dirty that John Breton, custos of London, had it barred up, to hinder any harm that might happen in passing that way; and John Bishop of Chichester, whose house was there, kept up the bar for many years. Dugdale's description given above would not appear to be quite correct, as the present site of Child and Co.'s Bank has of late years proved to be the site of the old Carmelite Monastery (see *post*, p. 73).

[3] See *ante*, p. 14.

what was the ancient name thereof hath not as yet come unto my knowledge, but it has been suggested by some that Malmutius Dunwallo had here long before built a Temple of Concord, where he lies buried, for the teaching of his laws called Leges Malmutinæ."[1] We know that the Round of the Temple Church was consecrated in the year 1185, and the Choir or oblong Church to the east of the Round in the year 1240.[2] Apart from this, the earliest evidence we have of the buildings within the precincts of the Temple is to be found in the Inquisition post mortem I Edw. III (1327) and the two Inquisitions made in the years 1336 and 1337 on the complaint of the Knights Hospitallers concerning William de Langeford's possession, as Crown lessee, of the church property.[3] These latter Inquisitions describe the portion of the precincts of the Temple which belonged to the Prior and Brethren of the Order as church property, and of which William de Langeford as Crown lessee was in unlawful possession; also the rest of the property of which Hugh le Despenser had been enfeoffed by the Prior and Brethren, and which had on his attainder and execution escheated to the King.[4] They also show that the entrance to the Temple was by the Great Gate, being as now the entrance by the Middle Temple Lane; that there were two Halls, one the Hall or Refectory of the Priests, on the site of which the present Inner Temple Hall is partly built; and the other a little distance down and on the east side of the Lane from the Great Gate, which probably was the Old Hall of the Military knights, and afterwards became the Middle Temple Hall, which was pulled down about the year 1639 after the completion in the year 1571 of the present Middle Temple Hall. At the date of the Inquisition of 1337 the Temple was known by the name of the Manor of the Temple. Apart from the church property there would seem to have been within the precincts of the Temple, besides a garden and a stable, one hall, a kitchen, and four

Inquisitions, 1327, 1336, 1337.

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[1] Cites Norden's "Brit. Speculum" (1593), but Norden (at p. 33), referring to the Temple within Temple Bar as the site of Templum pacis or concordiæ, founded A.M. 4748, says: "But some take the Temple of peace to be that which is now Blackwell-hall." Stow (see "Survey of London," 6th ed. vol. i, p. 5) suggests that the site of The Temple of Peace, built by Malmutius Dunwallo, son of Cloton, is where St. Paul's now stands.

[2] See *post*, p. 103.

[3] See *ante*, p. 15.

[4] See Appendix I.

chambers, and there was a chamber on the other side of the Great Gate. The Hospitallers, however, possessed thirteen houses erected on the ground between the Church and Fleet Street, and also eight shops, seven of which were within, and one without, the Bar (see *ante*, p. 16). The exact position of the old Middle Temple Hall is not known, but its approximate position may be gathered from the Minutes of Parliament relating to the rebuilding on its site. It stood on part of the present site of Elm Court and Pump Court. It probably faced north and south, so that the west side fronted Middle Temple Lane, and the east side adjoined what was formerly known as Vine Court, or "le vyne yeard,"[1] shown in Ogilby's plan of 1677. There was also in the year 1552 a small court called the Lower Court under "le vine,"[2] which was probably between Vine Court and Elm Court, and on the south side of the old Hall. The chambers in the Vine Court were built over the Cloisters.[3] In the year 16 Eliz. (1574) the Queen, by the advice of the Privy Council, authorized the Society of the Middle Temple to convert the old Hall into not more than ten chambers, and Adam Bellengham appears to have built eight chambers at the upper end of the old Hall and above the wall thereof, and a study adjoining, the window of which looked into Vine Court.[4] With this information from the Records, and comparing Ogilby's block plan with the plan showing "A View of the Temple as it appeared in the Year 1671," a rough idea may be formed as to the approximate site of the old Hall. It is evident that the Hall of the Knights extended from the Middle Temple Lane eastward towards Vine Court. Sir Henry Chauncy, who was admitted to the Inn in February 1650, says in "Antiquities of Hertfordshire" (1826 ed. vol. ii, p. 431) that the old Hall of the Middle Temple was situate between Pump Court and Elm Court, after the form of the Round Walk in the Temple Church, and was pulled down in the year 1639. It also appears from the Records (Cal. p. 69) that in November 1637 the old buildings between Vine Court, Elm Court, Pump Court, and the Middle Temple Lane were ordered to be pulled down and rebuilt. Beyond the reference in the Inquisi-

Position of the old Middle Temple Hall.

[1] Mins. of Parl. 26th November 20 Eliz.
[2] *Ibid.* 17th November 1552.
[3] *Ibid.* 22nd May 1612.
[4] *Ibid.* 7th February 20 Eliz. and 7th June 1619.

Entrance to Middle Temple and Temple Bar

tion of 1337 there is no record of the age of the old Hall which was pulled down.[1]

On the east side of Vine Court, almost in line with the Hall of the Knights, was the Hall or Refectory of the Priests, with a Cloister leading up to the Entrance to the Round, and partly or wholly inclosing Cloister Court on the south side of the Church. In the Cloister at the south-west corner, adjoining the entrance to the Refectory, was the Chapel of St. Thomas à Becket, and adjoining the south-west corner of the Round was the Chapel of St. Ann (see *post*, p. 65). Chapels of St. Thomas and St. Ann.

The Great Gate was rebuilt in the year 1520 by Amyas Poulet (Pawlett), then Treasurer. It appears from the Records[2] that in the year 1567, the Great Gate was called "The Temple Gate or Tower." Under the Tower was a tenement with a kitchen and other buildings, and there were two chambers, one above the other in the higher part of the Tower. There was a shop belonging to the Inn in the street adjoining to the North side of the Gate or Tower, and also a little shop "next unto the east ende of the leaning bar adjoyning to the north syde of the said Tower." In the year 1684 the Gate was again rebuilt by Sir Christopher Wren as it is now.[3] There is the follow- The Great Gate.

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[1] See "The Judges of England" by Edward Foss (1857), vol. v, p. 26. There is a handsome pair of old carved oak doors at the entrance from the vestibule of the present Hall to the Benchers' corridor. These doors are of great age and there is some tradition that they came from the old Hall pulled down in 1639, but there is no record. The design is in keeping with the best period of Norman architecture, as seen in the archway or entrance to the Temple Round, and at Romsey Abbey, Hants, and Beaudesert Church, Henley-in-Arden. If, as is probable, they were removed from the old Hall, they would seem to be the only relic of that ancient building.

[2] "The Rentes of Chambers and Shoppes of the Mydle Temple, 1567," Book D, f. 408; Mins. of Parl. vol. i, p. 431.

[3] Temple Bar, as it is shown in the engraving, was erected after the Great Fire of London, 1666. Previously it was a house of timber, erected across the street, with a narrow gateway and an entry on the south side of it under the house; and at a still earlier period the separation of the Freedom of the City of London and the Liberty of the City of Westminster consisted of posts, rails, and a chain as at Holborn, Smithfield, and Whitechapel Bars (see Stow's "Survey of London"). The heads shown on the spikes in the engraving remind one of the story told by Forster in his "Life of Oliver Goldsmith": Johnson, strolling with Goldsmith into Westminster Abbey, and standing together in Poets' Corner, whispered the hope: "Forsitan et nostrum nomen miscebitur istis." They walked away together, and arrived at Temple Bar, where the ghastly remains of the last Jacobite execution were still rotting on the spikes above. Here Goldsmith stopped Johnson, pointed up, and slyly returned his whisper: "Forsitan et nostrum . . . miscebitur Istis."

ing inscription in large capitals above the first floor windows across the entire breadth of the building:

"Surrexit impens. Soc. M. Templi MDCLXXXIV."

and lower, just over the arch, is the Lamb and Flag and date 1684.

The following memoranda, probably by the antiquary Master Anthony Allen (Treasurer, 1749), appear in the fly-leaves at the end of MS. No. 2:

"Sir Amias Paulett Kn^{t} (called in our list Sir Amisius) who was Treasurer of the Middle Temple Anno 1520, as a Justice of the peace, caused Wolsey, after a Cardinal &c., when a young man and Rector of Lymington in Somersetshire to be set in the stocks, for being drunk (it is said) in the neighbourhood of that place, see Fiddes pa. 7. For which Cardinal Wolsey is made to boast, that Sir Amias Paulet was, by his means, for the space of six years, retained a prisoner in the Middle Temple. Peck's Memoirs on Milton, pa. 436.

"The most antient Building in the Middle Temple in Dugdale's time was the great gate towards Fleet street, commonly called the Middle Temple gate. This as the History of Cardinal Wolsey's Life (written by Mr. Cavendish one of his Gentlemen Ushers) testifieth, was built by Sir Amias Paulet Kn^{t} about the 7th year of King Henry the 8th, who being upon an old grudge, sent for up by the Cardinal, and commanded not to depart London without License, lodged in this Gatehouse, which he re-edified and sumptuously beautified on the outside, with the Cardinals Arms, Hat, Cognizance, Badges and other Devices, in a glorious manner, thereby hoping to appease his displeasure. Dugd: Orig: Jurid: ch 61 in prim:

"N.B. This Middle Temple gate being burnt down by the great ffire of London 1666, was rebuilt under the direction of Sir Christ^{r} Wren, and is numbered among his great works in M^{r} Woods most ingenious History of the Professors of Gresham College."

The writer of the above, rightly doubting the accuracy of the

N.B., adds, "Quære vide the other side," and on the opposite fly-leaf is the following:

"Copy of an Inscription on a Stone in the Front of the Temple Exchange Coffee house Fleet Street.

Ecce
Flagrantis Urbis domus Ultima
Restauratæ prima:
Quod felix faustumque sit
Et Urbi et domo
Tum auspicato erigentibus,
Elizabethæ Moore fundi Dominæ
et
Thomæ Tuckey Inquilino." [1]

There is the following entry in the Minutes of Parliament of the 21st November, 1684: "Whereas iron balconies are to be set up, at the House charge, out of the chamber of M[r] Ettricke, in over the Great Gate looking towards Fleet Street, their Masterships do now order and declare, that they reserve power to Master Treasurer, for the time being, and to all the Masters of the Bench upon any solemnities, or when they see cause, to resort through the said

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[1] Anglice:

You see before you
The last house of the city in flames
The first of the city restored:
May this be favourable and fortunate
For both city and house,
Especially for those who are auspiciously building.
Elizabeth Moore owner of the site
and
Thomas Tuckey Tenant.

The Latin inscription is also given in Malcolm's "London" (1803), vol. ii, p. 299.

The Temple Change Coffee-House would seem to have been a little east of the entrance to the Inner Temple Lane, as there is an entry in the Minutes of Parliament 23rd June 1699 that "No passage shall be made from the Temple Change Coffee-House through North Churchyard." Oliver Goldsmith while making shift to exist (1757-8) had his letters addressed here, where the waiter he celebrates in the third number of his "Bee" took charge of them (see Forster's "Life of Oliver Goldsmith").

On the north side of Fleet Street the Great Fire stopped a few yards east of St. Dunstan's Church.

chamber, to the said balconies, and to use the same, when, and as, they please."[1]

The Hall.

Our famous Hall was commenced about the year 1562, and completed in the year 1571.[2] The Screen was erected in 1574, but the Screen Doors were carved and erected in the year 1671.[3] Subsequent history is shown by the following inscriptions upon the Screen over the two side doorways.

"Lectorum Hujus Societatis Insignia E Senatu Translata Fuere An' Do' 1697 Francisco Morgan Arm. Thesaurario."[4]

"Aula Decorata et Lectorum Insignia Renovata A.D. 1755 and 1791 Ben' Smart Arm' and Prœhon' R. P. Arden Mil. Thesaurariis."

"Aula Decorata et Pictæ Tabulæ Renovatæ.
A.D. 1808 Prœhon' Gulielm Scott Mil. Thesaurario."

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[1] This chamber is now known as No. 1A (formerly No. 4), Middle Temple Lane, and in pursuance of an Order made on the 20th January 1893, accommodation is provided there for eight ladies and eight gentlemen to view the Procession on the 9th November.

[2] See Mins. of Parl. 24th November 1562 (5 Eliz.) and 26th May A.D. 1571 (13 Eliz.). Herbert, in "Antiquities of the Inns of Court," p. 245, says the foundation of the Hall was laid 1562, and the edifice completed 1572; and Dugdale also to the same effect; but see Worsley (*post*, p. 104). For the description of the interior of the Hall see Ireland's "Inns of Court," p. 83.

It appears from an entry in the Accounts, 22nd October 1683 (Cal. p. 181), that the great picture in the Hall of King Charles I on horseback, attended by his chief equerry, M. de St. Antoine, was acquired at that time for £30, an additional sum of £10 being paid for the frame. It is, however, a question whether it is a replica by Van Dyck (who died 1641) of the Windsor picture or an excellent copy by Henry Stone ("Old Stone"), who died 1653. The picture of His Royal Highness the Duke of York (afterwards James II), probably by John Riley (1646-91), was acquired at the same time for £10, an additional £8 being paid for the frame.

The square or oblong table (6 by 4 feet) on which the cups and other plate are displayed on Grand Nights is believed to have been presented to the Inn by Queen Elizabeth, but there is no record. It is probably what is called in the records the "Cupboard." The "Cupboard," or "*Abacus*" (Mins. of Parl. p. 165, 3rd November 10 Eliz.), was a square table, and is so referred to by Downing in speaking of members being sworn on Call to the Bar (see *post*, p. 181), and again in his account of Public Call of Serjeants (see *post*, p. 299). The High-Table, at which the Benchers sit, is believed to be of the same period. The top is made of four planks of oak, and is 29 feet 4 inches long, 3 feet 2 inches wide, and 3 inches thick.

[3] Extracts from Accounts, Cal. p. 174.

[4] In the year 1699 the roof of the Hall was re-tiled (Mins. of Parl. 10th February 1698), and again in 1826. In the year 1730 the Hall was new floored and furnished with new tables and forms (see *post*, p. 105). The lantern light appears also to have been altered on several occasions. In 1869 a new cellar under the paved portion of the Court on the north side of the Hall was built.

Charles Latham, en.tographer

By permission of Benchers of T.T.

Interior of Middle Temple Hall

Emery Walker Ph.sc

It was not until after the Patent of 6 Jac. 1 (August 1608) that the two Societies commenced building operations on an extensive scale. The Great Fire of London in 1666 did great damage to the Inner Temple buildings, as shown on Ogilby's plan, but with the exception of the destruction of the Master's House (belonging to both Societies), and the building "on the East side of the Church-yard in the two staircases next the Church," there was not much damage to the buildings of the Middle Temple.[1]

Great Fire of London.

The building in South Church Yard, afterwards called Lamb Building Court, was re-erected in 1667-8.

On the 26th January 1679,[2] the great fire in the Temple occurred. It originated in Mr. Thornbury's Chambers in Pump Court next to Elias Ashmole's lodgings, and greatly damaged the latter's library, and destroyed his collection of medals.[3] Luttrell[4] says the engines played away many barrels of beer to stop the fire, but the chief way of stopping it was by blowing up the houses with gunpowder. According to Roger North in his autobiography, "the fire lasted from 11 p.m. on Sunday to twelve next day, and opened an area bounded by the Middle Temple Hall and part of Elm Court Southward, the Palgrave Buildings in Old Essex Court Westward, the taverns and Hare Court Northwards, all which places lay in view of one another." The building on the south side of Elm Court was much damaged by blowing up the Store-house with gunpowder, and had to be restored.[5]

Great Temple Fire.

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[1] According to Strype (Stow's "Survey of London," 1754 ed. p. 750) the buildings in the Temples were for the greatest part of timber, and he expresses surprise that they were not wholly demolished by the fire. Lord Clarendon ("Autobiography," vol. iii, p. 90) says it was the vacant space in King's Bench Walks that prevented the Great Fire of London extending further into the Temple after the new buildings next to Whitefriars had been consumed, but it then laid hold on some old buildings which joined to Ram Alley and swept all those into Fleet Street.

[2] The date of the Temple fire was 26th January 1679, although it is frequently referred to as the fire of 1678. As from 1st January 1752 the commencement of the legal year was ordered to be changed from the 25th March to the 1st January—that is to say, the Julian calendar with the Gregorian correction was adopted in Great Britain (24 Geo. II (1751) c. 23).

[3] "The Lives of the Norths," by A. Jessopp, vol. iii; and see Ashmole (Elias), "Dict. Nat. Biog."

[4] "Brief Historical Relation of State Affairs" (1678-1714), vol. i, p. 7.

[5] Mins. of Parl. 21st May 1680.

Middle Temple Lane, east side.

Towards the Great Gate on the east side of the Lane, the fire would seem to have destroyed the buildings erected by Anthony Luther in 1615, called Luther's Buildings, and to have damaged the buildings between Luther's Buildings and the Great Gate, which had been erected in the year 1630 on the site of earlier buildings erected in 1611 by Sir Walter Cope and Sir Arthur Georges. There is a Minute of the 30th May 1679 with regard to the new buildings near the Great Gate, that the builders were to have leave to make "jettys" or projecting upper storeys, to the upper chambers. These new buildings referred to are the same as are now known as Nos. 2 and 3, Middle Temple Lane. In the year 1693 a decayed building next Middle Temple Gate was pulled down, and a building to be four storeys high was ordered, and notice was to be given to those who had Chambers over the Great Gate northwards and in the new building on the south side of the old building. This building is now known as No. 1, Middle Temple Lane. The old building on the west side adjoining the Great Gate was, until the year 1894, called No. 4, Middle Temple Lane, when the number was altered to No. 1^. It is probably the same as that which in 1551 was let to Welond the scrivener,[1] and there is a record of the 17th June (28 Eliz.) 1586, that a lease was to be granted to a scrivener, Walter Woode, "of the little room on the left hand as we go out at the Temple Gate, at a rent to be fixed by the Attorney-General, in the reversion of Granger, during pleasure."

Cloisters.

The present Cloisters were built by Dr. Nicholas Barbon[2] on Sir Christopher Wren's model in the year 1681, and the building over the Cloister was finished in May 1682.

There is the following inscription on the north, east, and west sides of the Cloisters:

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[1] Mins. of Parl. 8th May 1551.

[2] Roger North in his autobiography says: "There was one Nicholas Barbon, son of the old sectarian called Praise God Barbon, bred a doctor of physic, but that trade failing he fell into that of building, and the fire of London gave him means of doing and knowing much of that kind. His talent lay more in economising ground for advantage and the little contrivances of a family than the more noble aims of architecture, and all his aim was at profit." However, it appears from the Minutes of Parliament that on the 8th February 1684, during the Treasurership of Roger North, he was presented with one hundred guineas "as a testimony of the Society's good acceptance of his service."

"Vetustissima Templariorum Porticu
Igne Consumpta
An° 1679.
Nova Hœc.
Sumptibus Medii Templi extructa
An° 1681
Gulielmo Whitlock Arm° Thesaur°."

The original design of Sir Christopher Wren, and the Award signed by the Sir Heneage Finch, L.C., to whom the differences between the two Societies about the dimensions had been referred, are in the possession of our Society. The Award is as follows:

"8th March 1680.

"The Treasurers and several of the Benchers of both the Societies of the Temple this day attending the Lord High Chancellor of England for settling the differences between them about the dimensions of the Cloyster which is to be built by the Middle Temple His Lordship after consideration of what was proposed and allready said on both sides Declared his oppinion and direction to be that the said Cloyster should be built 70 ffeet long and 30 ffeet broade from out to out and 3 stories high over the Cloyster according to the within mensioned modell drawne by Sir Xtopher Wren, and that the Cloyster should reach unto M^r Pettits' East-Window,[1] but not upon any part of the Window, and that noe Tymber should be lay'd into the Walls of the Church or into the Walls of M^r Pettits' buildinge for supporting the Cloyster, but that part of the Cloyster should be supported by substantial foundations of Brick to be built against the Church Wall and M^r Pettits' Wall or by other substantiall supporters, soe as the said Cloyster may not weaken or endanger the Church Wall or M^r Pettits buildinge.

"This I think reasonable
"FINCH."

The building now known as No. 2 Cloisters was rebuilt in 1825

[1] Mr. Pettits' building, according to the plan, stood on the north-west corner of the Cloisters in a line west of the Round, being the south-east corner of the present Farrar's Building.

during the Treasurership of Master John Springett Harvey, and bears an inscription to that effect over the doorway.

Vine Court disappeared on the reconstruction after the fire of 1679.

Extensive building operations under the direction of Dr. Nicholas Barbon, in connection with Pump Court and Elm Court, were commenced in the years 1679-80, during the Treasurership of William Whitelock. The south side of Pump Court was rebuilt towards the end of 1680.[1] On the 24th October 1679 it was ordered that the passage to be made out of Elm Court into Fig Tree Court be as anciently.[2] The present buildings in Elm Court were erected in 1880, during the Treasurership of Master Clement Milward, Q.C., with the exception of the old building, No. 1, Elm Court, which forms part of the south block of Pump Court, built about the year 1680, the entrance being from Elm Court.

Pump Court.

Elm Court.

No part of the Temple has undergone in recent years, and still within living memory, greater alteration than the buildings on each side of the Inner Temple Lane and round the Church. The entrance to the lane remains as it was reconstructed in the year A.D. 1611, by Jno. Bennett, one of the King's Serjeants-at-Arms, whose tenant was William Blake, citizen and vintner. On his petition the Lane was stopped to enable him to rebuild the said gate, and his house called "The Princes Armes" adjoining to and over the gate.[3] The passage into the Inner Temple, known as Inner Temple Lane, existed previously, but when it was first made is unknown. The Middle Temple Rent Roll of 1567 refers to the chambers on the

Inner Temple Lane.

The Gate.

[1] Mins. of Parl. 25th June 1680. A noteworthy feature about the buildings in Pump Court and Brick Court erected after the fire of 1679 is the architectural beauty of the old entrances or doorways. The buildings and doorways were similar in character, and were probably designed by Sir Christopher Wren. A similar design of broken pediment is to be seen over the doors leading on to the Grand Staircase erected by Sir Christopher Wren at Farnham Castle.

[2] Some of the buildings in Fig Tree Court were erected by the Inner Temple in the 15th of James I (March 1617-18), and other buildings in the 4th of Charles I (1628-9). The buildings between the Inner Temple Hall and the new buildings in Fig Tree Court were erected in the 5th Charles I (Evidence annexed to Parl. Rep. 1855).

[3] Mins. of Parl. 25th January 1610-11, and see "Inner Temple Records," vol. ii, pp. 50, 51.

Inner Temple Lane (looking south) 1858

Churchyard Court (looking west) 1858

east side of "The Inner Temple Lane, leadyng from the streate aforesaid unto the Temple Church."[1] The reference in the Inquisition of 1337 to a wall extending to the old gate by the Temple towards the Highway,[2] would seem to refer to a gate other than the Great Gate.

Goldsmith Building.

The range of buildings which until the year 1858 stood on the site of the present Goldsmith Building, on the north side of the passage called Churchyard Court leading into the Churchyard, as shown on Ogilby's plan and on the plan of 1732, and which were built of timber, lath and plaster, were probably erected in the year 1608,[3] in the place of buildings on the same site referred to in the Rent Roll of 1567. The building belonging to the Inner Temple, which stood on the south side of the same passage, and coloured red on the plan of 1732, seems to have been erected in the year 1717, from a tablet which existed over the doorway. In the year 1611 it was agreed with the Inner Temple that "the passage through Falcon Court,[4] near Fleet Street, into Temple Churchyard shall be stopped, and the Tailor's house lately built on parcel of the Churchyard and the sheds about the north side of the Churchyard shall be pulled down" and that no laundresses should "hang Clothes in Churchyard, which shall be decently kept for burials."[5] Fortunately photographs were taken of the buildings in the Inner Temple Lane and Churchyard Court, and adjoining the Church, prior to their removal in the years 1858-1860, and the etchings have been made from these photographs. It appears there were shops on both sides of the Lane, and in the passage leading into the Churchyard. At this time buildings stood annexed to the Church and over the Porch, as appearing

Temple Churchyard.

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[1] Mins. of Parl. vol. i, p. 432.

[2] See Appendix I, p. 225.

[3] Mins. of Parl. 10th June 1608.

[4] Falcon Court probably derived its name from the Falcon Inn. Wynkyn de Worde, the disciple of and successor to Caxton, removed from Westminster in the year 1500 to Fleet Street in the parish of St. Bridget, *alias* St. Bride's, where he occupied two houses. The Falcon Inn was, according to Stow ("Survey of London," 6th ed., vol. i, p. 739), his dwelling-house, and his printing-house, was at the sign of the "Sun." See "Dict. Nat. Biog." Peter Cunningham ("Hand-Book of London," 1850) says, "In the house over Falcon-Court with the date 1667 upon it (No. 32 in Fleet Street, and still a bookseller's), John Murray was living when he published Byron's 'Childe Harold,' and all the early Nos. of the 'Quarterly Review.'" Falcon Court in Fleet Street still exists on the old site.

[5] Mins. of Parl. 3rd May and 11th October 1611.

The Porch. in the plan of 1732. The building over the Porch extended across, and was annexed to Dr. Johnson's Buildings[1] and Farrar's Building, and the Lane continued as a passage under the building and through the Cloister into Lamb Building Court. The description given in the Deed of the 2nd November 1732, set out in Appendix I, will more fully explain this. The only entrance to the Church Porch appears from plans to have been on the west side, the south side being enclosed by an iron railing.

About the year 1858 the two Societies agreed to a scheme for the removal of the buildings adjoining the north and south sides of the Church, and for making other improvements around the Church, and in accordance with this scheme Goldsmith Building was built in the year 1862 from designs of our then surveyor, the late Mr. P. J. St. Aubyn, and the buildings between that and the Church were cleared away, as well as the building over and west of the Porch and a part of Farrar's Building, and the passage to Hare Court was widened. The improvement scheme having been fully carried out, by a Deed dated the 12th November 1879, and made between the two Societies, mutual conveyances were executed by which certain parts of the premises which, prior thereto, belonged to the two Societies in undivided moieties, as tenants in common, were thenceforth to belong in severalty to the Societies respectively, and certain other parts were so conveyed as thenceforth to belong to the two Societies in equal undivided moieties, and to be used in common. The deed contains restrictions as to building on the sites in future, and the two Societies are at their joint and equal expense to light and pave the Porch of the Temple Church, and maintain and pave the Terrace, and pave, flag, or gravel, or lay down in turf, or sow with grass seeds, the Churchyard on the north side of the Round.

Dick's Coffee House. No. 8, Fleet Street, known as Dick's Coffee House (originally Richard's, so called after Richard Turvor, to whom the house was let in 1680), was purchased by the Society from Mr. J. B. Butterworth, and conveyed to the Trustees of the Society by deed dated the 5th January 1881. The premises are shown on Mr. Wadling's

[1] Dr. Johnson came to No. 1, Inner Temple Lane in 1760.

South View of Temple Church and Shops

South View of the Round Church 1858

plan, and are now leased to the Legal and General Life Assurance Society. The Hardwick Society held its meetings here in the seventies, before moving into the Temple.

Lamb Building.

Passing now to the south side of the Church, it will be seen on referring to Ogilby's plan of 1677 that Lamb Building was destroyed by the Great Fire of London, 1666. The present building was probably erected soon after that date. The earliest reference to Lamb Building in the records of either Society would seem to be in the Minutes of Parliament of the Middle Temple, 27th April 1683, when power was given to Sir Francis Wythens to transfer his chamber in the Lamb Buildings for a life and one assignment.

Buildings were erected against the south side of the Church prior to the fire of 1679, as appearing on Ogilby's plan, and these buildings would seem to have continued until about the year 1825. The engraving taken from Ireland's book,[1] written in the year 1800, shows the class of buildings, and the author, protesting against the obstruction to the view of the Church, says: "As the annexed view will explain, little is to be seen but the upper part, all below is encumbered with sheds and houses of a mean cast of character, and ill suited to the situation. Here shoes, boots, wigs, and latitats vie with each other for pre-eminence; why are these things permitted?"

St. Ann's Chapel.

The same engraving shows the building over the site of St. Ann's Chapel, which, prior to its removal in the year 1825, was used for keeping the Records of the Fine Office. The Chapel is said to have been built about the year 1220.[2] A ground plan of the Chapel with the dimensions, as it existed in 1807, is given in "Architectural Antiquities of Great Britain," by John Britton (1835). From the Round it was entered by a descent of five steps, and had an arched roof with large ribs, and in the walls at the east end were four square niches, one or two of which were probably for piscinas. Above the arched roof was another storey also arched over and approached by a staircase in the south west corner of the Choir or oblong Church.

[1] "Picturesque Views with an historical account of the Inns of Court," by Samuel Ireland (1800).

[2] So stated on plan of Church and crypt of Chapel printed by James Akerman, 1871-2.

There was also an entrance by eight stone steps from the Cloisters on the west side which still exist. The ruins still preserved are interesting and are under eight large paving stones, observable from the outside. The entrance to the ruins is by a man-hole through which one alights on the stone steps referred to. The Chapel is now about 41 ft. long from east to west, 8 ft. wide from north to south, 5 ft. 7 in. high. It is, however, disfigured by a large drain which crosses it north and south at the east end from under the Church. A stone bench or sedile built out seventeen inches from and as part of the wall, similar to what is to be seen round the interior of the Church, commences at the foot of the steps on the west side and is continued the entire length of the south wall, except at the middle where it is intercepted by a pillar built into the wall with three columns attached to it, one on each side resting on the bench, 2 ft. 4 in. high, and one facing the Chapel, rising from the ground, 3 ft. 6 in. high. There is also a similar column in the south west corner. Each column has a plain round capital, as in the Church, and no doubt they were connected with the arched roof. The present roof consists merely of the large paving stones supported by iron girders. The north and east walls are bricked up. There are fragments of columns and arches and well-sculptured ornaments placed against the north wall which might be used for the purpose of restoration.[1]

After the removal of the superstructure of the Chapel in the year 1825 a deed of conveyance dated the 1st May 1826 was executed between the two societies, by which the Middle Temple Trustees conveyed to the Inner Temple Trustees one undivided moiety of and in the site of the Chapel or Oratory late adjoining to the south side of the Temple Church near the Rounds of the Church, wherein the Records of the Fine Office were lately kept, and the site of the chambers, staircase, and buildings, and the ground and soil thereof, at the north east corner of the Middle Temple Cloisters, and adjoining backward to the south side of the Temple Church.

As already mentioned, No. 2 Cloisters was rebuilt in 1825.

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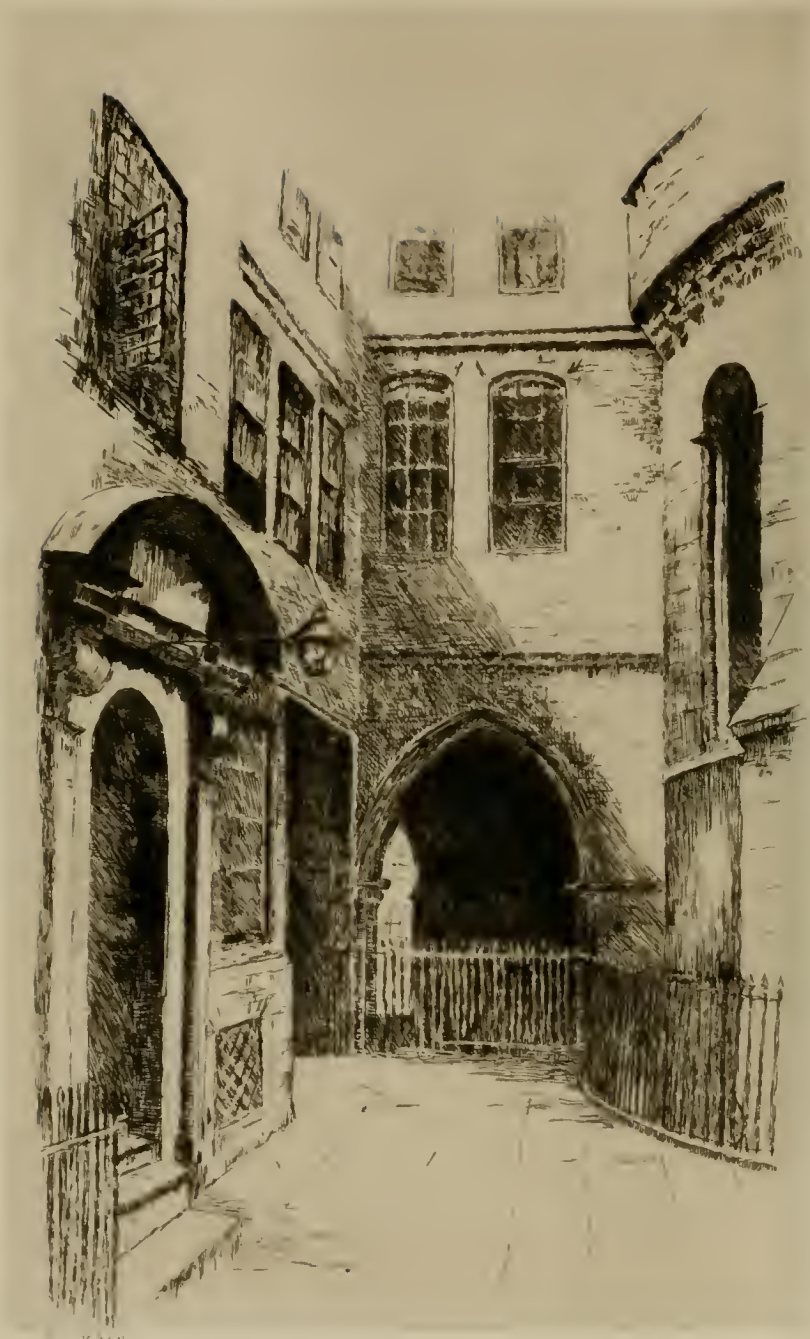
[1] See further, "The Temple Church," by T. H. Baylis, p. 53.



Porch of Temple Church and Farrars Building 1858

The etching, made from a photograph taken about the year 1858 and in the possession of the Society, shows the entrance to the Porch of the Church at that time.

The Church.

The building of the greatest interest in the Temple is the Temple Church. This is referred to in "Master Worsley's Book" (see *post*, p. 3), but the reader is referred to Addison's "Knights Templars," and a separate work by the same author called "The Temple Church," and other writers, for an exhaustive account of the building, and the windows and monuments.[1]

Addison says (at p. 44): "The many unsightly and incongruous additions to the ancient fabric of the Temple Church had long been a source of sorrow and disappointment to every person capable of appreciating the beauty of Gothic Architecture; and in the summer of the year 1840 the two Societies of the Inner and Middle Temple came to the praiseworthy determination of removing them. The wooden galleries and oaken screens, the wainscoting and partitions, the cumbrous pews and all the modern pagan ornaments were cast out of the sacred building, the tasteless monumental tablets were removed from the walls, the paint and whitewash were scraped off the marble columns and the vaulted ceiling, and the ancient Gothic Church of the Knights Templars, disencumbered of its modern incongruous embellishments (!) then stood forth in all its native purity and simplicity, and astonished and delighted the beholder by the harmony of its proportions and its fairy like beauty and gracefulness of its form."

The Organ-Chamber originally stood under the grand centre archway communicating with the Round.[2] In the year 1842 the present Organ-Chamber was erected. It is built out from the centre window on the north side of the Church, upon the Churchyard and

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[1] "The Knights Templars," by C. G. Addison (1842); "The Temple Church," by C. G. Addison (1843); "The Temple Church," by T. H. Baylis, Q.C., M.A. (1893); also "The Temple," by Rev. H. G. Woods, D.D., Master of the Temple.

[2] In Dugdale's "Mon. Ang." (1830), vol. vi, pt. ii, p. 817, there is an engraving of the interior of the Temple Round, showing how in the year 1817 the Eastern arches of the Round were blocked up, with merely doorways leading into the Church. There are also two plates, Nos. 119 and 120, in "Architectura Eccl. Londini," by Charles Clarke (1819), of the interior of the Round and of the Choir as in 1811.

between two of the old buttresses, forming as it were one arm of a cross on the north side.[1]

Formerly the Vestry was on the south side of the Church, but in 1842 it was removed to the north side under the new Organ-Chamber and extending westward upon the Churchyard. In the year 1868-9 the present Vestry and Practice Room were erected on the east side of the Organ-Chamber and upon the Churchyard, and the building on the west side of the Organ-Chamber was removed, so that now the Vestry is not visible to anybody admiring the exterior of the Church from the Inner Temple Lane.

The Belfry is referred to as early as 1192,[2] and it is mentioned in the grant of James I, 1608 (see *post*, p. 235). Formerly (1755) the Sanctus or Saints Bell was over the west gable of the South Aisle near the steps where John Selden is stated to have been buried in 1654.[3] In "Vetusta Monumenta," vol. v, published by the Society of Antiquaries of London, 23rd April 1818, it appears from a plan-section from east to west of the Temple Church that then the belfry was over the centre of the Round; but in an "Account of the Temple Church," by R. W. Billings (1838), p. 39, he says that "in some of the old views of the Church, a bell turret appears on the apex of the roof at the west end of the South Aisle, proving that the present was not always the situation of the belfry." The belfry on the apex is shown in Samuel Ireland's engraving (1800), and also on plate No. 118, South View of the Church 1811, in "Architectura Eccl. Londini" (1819); and apparently it was in the same place in the year 1732, as in the Deed of Partition "the southern moiety or half part of the Temple Church, that is to say, of the Chancel, Nave, Belfry, and Rounds, from the middle thereof southwards," is conveyed

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[1] As to Bernard Schmidt's famous organ, see *post*, p. 103; Grove's "Dict. of Music and Musicians" (1907), vol. iii, p. 534; and the "Temple Church," by Baylis, p. 34. The Temple organ, constructed 1682-4, now consists of five organs (1) the Great Organ, (2) the Swell or Echo Organ, (3) the Choir Organ, (4) the Solo Organ, and (5) the Pedal Organ. As built by Father Smith it comprised the first three organs; it had 23 stops and 1,715 pipes, all of which substantially exist. In 1729 the Echo Organ was altered by C. Schreider to what is now known as the Swell Organ. Additions were made to the stops and pipes from time to time, but in 1878 a considerable amount of work was done to the Organ as regards stops and pipes and general arrangement, and the Organ then comprised 59 voice-producing stops, and about 3,660 pipes. The Organ is now in course of being thoroughly repaired and renovated.

[2] See Baylis, p. 4.

[3] *Ibid.* p. 5.

to the Inner Temple Trustees and the northern moiety, in similar words, is conveyed to the Middle Temple Trustees. It would seem that it was removed from the apex of the roof of the Choir to the centre of the Round between the years 1811 and 1818, probably in or about the year 1812, when repairs were done to the Church, and that it was placed under the conical roof of the Tower on the north side of the Church, where it now is, after the restoration in 1840, when the conical roof of the Tower was erected, and a similar roof substituted for the battlements of the Round which appear in the old engravings.[1] Prior to the erection of the conical roof of the Tower its octagonal battlement parapet appears to have been only a little higher than the adjoining parapet wall of the Choir. The Tower had been previously renovated in the year 1736. The entire north side of the Church, including the Tower, is now in course of being thoroughly restored.

The belfry contains a single bell which bears the following inscription:

"Sir Rob[t] Sawyer Attorny Genall Treasuror of the Inner Temple.
"Sir Henry Chauncy, Knight, Treasuror of the Middle Temple.
"James Bartlet made me 1686."[2]

Burials.

A few words may be added relating to burials in the Temple Church and Churchyard. In the year 1654 an Order was made by the Middle Temple, in which the Inner Temple concurred, that no strangers should be buried in the Church or Churchyard, as it discommodes the burial of members, and weakens the foundation of the pillars. Prior to 1687 the mode of burial in vaults is only once mentioned in the Register. At that time burial in the Round had been resumed owing to want of room in the oblong Church. Except during the year of the plague the Churchyard was only occasionally used as a burial place. The Inner Temple in 1684, and the Middle Temple about the same time, each made a burying vault, and the entries of burials in these new vaults commence in 1689; and burying in the Chancel or body of the Church would seem from

[1] See "Architectura Eccl. Londini," by Charles Clarke, plate No. 117, North View of the Church. In 1863 the roof of the Round, but not of the Tower, was again reconstructed.

[2] See "Extracts from Accounts," Cal. p. 182.

thenceforth forbidden, although interments in the Church did not entirely cease. From the beginning of the eighteenth century onwards the vaults and the Churchyard became the regular burial places. An Order of November 1840 prohibited interments in the Churchyard, and the Act 15 and 16 Vict. cap. 85, concerning the Burial of the Dead in the Metropolis, applies to the two Inns.[1]

The entrance to the vault of the Middle Temple is by an iron door in the floor under the Benchers' seats at the north-east side of the Church, and the entrance to the vault of the Inner Temple is by a similar door under the Benchers' seats at the south-east side of the Church. From these doors the vaults, which are under the Master's garden, are approached by stone steps extending to the east wall of the Church. The Middle Temple vault is farther east under the garden than the Inner Temple vault, and is reached by a passage from the foot of the stone steps. The coffins in the Middle Temple vault are bricked up in recesses in the north and south walls. On the south wall there are seven tablet inscriptions.[2] In the Master's Garden there is in respect of each vault an iron grating by which the vaults may be approached from that side.

The Master's House.

With regard to the Master's House and Garden, on the dissolution of the Order of the Knights of St. John of Jerusalem in England, by Sect. 8 of the Statute 32 Henry VIII, cap. 24, the Sub Prior in England, and the Master and Two Chaplains of the Temple were allowed to keep their salaries and houses for their lives. Dr. William Ermested was at that time Master of the Temple, London, and he died in 1560. It would seem that the Master's House was granted by King Edward VI to Sir Robert Kelway and his heirs, and on his death it passed to his daughter Anne, who married Sir John Harrington. Sir John and Dame Harrington conveyed it to Sir John Roper.[3] In the year 1585, apparently at the suggestion or with the concurrence of the Lord Chancellor and Lord Treasurer and the then Master of the Temple,[4] the two Societies each purchased one undivided moiety of the Master's House and Garden

[1] See Introduction by the Rev. H. G. Woods, D.D., Master of the Temple, to "Register of Burials at the Temple Church, 1628-1853."

[2] See *post*, Appendix I, p. 243.

[3] See *post*, p. 214.

[4] Mins. of Parl. 12th May 1585.

from Sir John Roper. The first deed transcribed in the Deed Book of this Society is the Bargain and Sale dated 21st June, 28 Eliz., whereby John Roper, in consideration of £125, conveyed to John Popham and others, Benchers of the Middle Temple, "the moiety and one half of all that Messuage or Mansion House now or lately commonly called or known by the name of the Master of the Temple his lodging, otherwise the Master of the Temple's lodging,"[1] also "one moiety of all houses, gardens, and outbuildings to the said messuage or mansion house belonging, sometime in the tenure or occupation of Sir John Baker, K^t^, late of Robert Keylway, Esq^re^, lying and being near unto the Temple Church within the Barres of London" to be holden by the grantees their heirs and assigns for ever of the chief lord of the fee of the premises by the rent and services therefor to be due and of right accustomed; and John Roper warranted the title as being in his demise as of fee simple absolutely, notwithstanding anything done by John Harrington K^t^. and Dame Anne his wife, or by the said John Roper or any of them. The premises having been conveyed by feoffment dated 30th of June 5 Jac. to Sir Henry Montagu and others (being the then Trustees of the Society), on the 15th St. Martin, 6 Jac., a fine was levied between Sir Henry Montagu and others plaintiffs and John Lord Harrington, Anne his wife,[2] and Sir John Roper defendants "de uno messuagio uno curtilagio et uno gardino cum appertinentibus in Interiori Templo et in parochiis Beatæ Marie[3] prope barram novi Templi et Sancti Dunstan in occidente." After the conveyance by Sir John Roper the house was enlarged or rebuilt and converted into chambers, which the two Societies allowed to the Master and preacher for the increase of his living.[4] On the 23rd May 1664,[5] leave was granted to Dr. Ball, the then Master, to build a house in the garden by the Church, and to hold and enjoy the same during his being Master, and afterwards the same should

[1] It is sometimes in Mins. of Parl. referred to as the Parsonage House (Mins. of Parl. 26th November 1592; 9th February 1592-3).

[2] John, 1st Lord Harrington, married Anne daughter of Sir Robert Kelway; see p. 70.

[3] In the Mins. of Parl. 9th February 1581-2 Mr. Alvey is referred to as "Master of the Church and Parish of the Temple," and on the 28th June 1581 "the Parish Clerk of the Temples" is allowed 4*d.* from every one in Commons.

[4] See Malcolm's "Lond. Red." vol. ii, p. 288.

[5] Mins. of Parl.

be at the equal disposition of both the Societies. The house which Dr. Ball then built was destroyed by the Great Fire of 1666, and it appears by the Inner Temple Records that Dr. Ball rebuilt at his own charge, in consideration of a lease thereof to him for thirty-one years, to commence from his death or leaving the Mastership of the Temple, which should first happen, subject to option of Treasurers of both Inns on his death or removal to have a sublease at £40. There is no record of any further rebuilding, although the house has been repaired. The present house has the appearance of having been designed by Sir Christopher Wren, and it may be assumed that it is the same as was rebuilt by Dr. Ball after the Great Fire.[1] At some time in the eighteenth century an east wing, one storey high, was added to the house, containing an inner drawing-room, with kitchen underneath.[2]

In the year 1812 there was a high wall on the south side of the Master's Garden with a door and entrance at the side next the Church.[3] This wall was afterwards pulled down and rebuilt lower, and on it were put iron rails with a door in the centre at the top of the steps, as at present. About the same time the iron railings were placed between the buttresses on the south side of the Church.

Middle Temple Lane, west side.

Having dealt with the buildings on the east side of the Middle Temple Lane we will proceed to consider those on the west side.

Mention has already been made of No. 1A, formerly No. 4, Middle Temple Lane (see *ante*, p. 60). From this building to Brick Court the Middle Temple wall extended about 116 feet, and on the other side of the wall formerly stood the famous tavern of the "Devil and St. Dunstan," otherwise "St. Dunstan's," and sometimes called "The Divill's Tavern,"[4] which in the year 1656 belonged to Simon

[1] But see "The Inner and Middle Temple," by H. H. L. Bellot (1902), p. 231.

[2] This addition was probably made in the year 1764, as in the kitchen there is a handsome cistern bearing that date, and the Arms of the two Societies, and the initials of the Treasurers.

[3] See plate No. 118 of South View of the Church in "Architectura Eccl. Londini," by Charles Clarke (1819).

[4] It is said that Ben Jonson lived "without Temple Bar, at a Combmaker's shop," in order to be near this tavern, his favourite haunt; and here he established his Apollo Club, and drew up the "Leges Conviviales." The rules, in the elegant Latin of Jonson, were said to have been engraved in marble and placed over the chimney in the great Apollo

Wadlowe, the vintner, to whom permission was given to make a doorway through his house into the Lane, and in recognition of this special grace he was to "provide as much wine at the last Parliament Supper in Michaelmas Term as is usually spent, or their Masterships shall think convenient."[1] Later a dispute arose, and proceedings were taken in Chancery by the Society relating to their title to certain ground in the "Divill Tavern Yard,"[2] but how the dispute terminated does not appear.[3]

Site of Child's Bank.

Before dealing with Brick Court, a short account of the land between the Great Gate and Temple Bar, the present site of Messrs. Child and Co.'s Bank, will be interesting. The late Mr. F. G. Hilton Price, in "The Marygold by Temple Bar" (1902), connects it with part of the possessions of the Order of White Friars, or Fratres beatæ Mariæ de Monte Carmeli, first founded in 1241,[4] and cites Stow's "Survey of London" (Strype's Ed.), vol. i, p. 267, that "King Edward I gave to the Prior and Brethren of that House a plot of ground in Fleet Street, whereupon to build their House; which was since re-edified or new builded, by Hugh Courtney, Earl of Devonshire, about the year 1350, the 24th of Edward III." There are also entries in Minister's Account of 31 and 32 Henry VIII, connecting this site with the Carmelite Friars; and the discovery in the year 1879, on the rebuilding of the Bank, of the ancient crypt, extending under what were formerly "The Devil Tavern" and "The Sugar Loaf," strongly confirms Mr. Price's opinion that this was in fact the site of the old Carmelite Monastery. Mr. Price, in tracing the history of "The Marygold," shows that it was in the tenure of the Leigh family, *temp.* Henry VIII, and that Henry Leigh, the father of Gerard Leigh, resided there. Gerard Leigh died in October

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room. Messrs. Child and Co. possess the rules in good letters upon board and also the bust of Apollo. Simon Wadlowe was the famous landlord. Here also Oliver Goldsmith founded his shilling-rubber club. In 1736 the Quarterly Communication of Grand Lodge of Freemasons met here; and in 1746 the Royal Society removed here for its place of dining. See Peter Cunningham's "Hand-Book of London" (1850); "The Marygold by Temple Bar," by F. G. Hilton Price (1902); Forster's "Life of Oliver Goldsmith" (1903 ed. p. 261).

[1] Mins. of Parl. 21st November 1656.

[2] *Ibid.* 12th June 1657; 5th February 1658. [3] *Ibid.* 1st November 1661.

[4] In the reign of Henry III, by Sir Richard Gray on the east side of the New Temple (Dug. "Mon. Ang.," 1830 ed., vol. vi, p. 1572).

1563 in the lifetime of his father, and the title to the property is traced from Gerard Leigh's daughters. The premises were used as a tavern in 1625. The sign was then altered to "The Man in the Moon," but was renamed "The Marygold" about the year 1631, and was leased to Robert Blanchard (Blanchard and Child) in 1676. In 1697 there were premises in the rear of "The Marygold," known as "The Sugar Loaf and Green Lettice," in the tenure of Sir Francis Child, who rebuilt them in 1707. At that time the freehold of "The Marygold" and the "Sugar Loaf" belonged to the Minister and Churchwardens of the parish of St. Dunstan in the West, and so continued until purchased by Messrs. Child and Co. in 1874. "The Devil Tavern" stood next door to "The Marygold" and was purchased by Child and Co. in 1787. In the following year it was demolished, and a row of houses called "Child's Place" and No. 2 Fleet Street were erected upon the site. "The Sugar Loaf" was approached from Fleet Street by a long narrow passage which led southwards into the Temple. Shortly after 1874 part of the passage was thrown into the Bank premises, and the way into the Temple was closed.

Brick Court.

The rebuilding of Brick Court appears to have commenced under the direction of Dr. Barbon shortly after the Temple fire in January 1679. In the following month there were orders that Brick Court and the garden on the north side of it[1] should be made one Court and buildings erected on all sides of it, and that the chambers on the north side were to be set more northwards.

By deed of Bargain and Sale dated the 25th May 1714 the Society acquired a tenement on the north side of the chamber of Charles Lechmere in Brick Court, adjoining upon the "Rose Tavern"[2] on the west, the Cross Keys Yard[3] on the east, the yard betwixt the

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[1] This is shown on Ogilby's plan of 1677.

[2] Strype says The Rose of Temple Bar stood at the corner of Thanet Place. It was a well-customed house, with good convenience of rooms and a good garden. See further, Cunningham's "Hand-Book of London."

[3] The Cross Keys are the Arms of the Papal See. In 1698 Bernard Lintot (1675-1736) printed "at the Cross Keys in St. Martin's Lane, but afterwards removed to the Cross Keys and Crown next Nando's Coffee-House, which was the first house east of Inner Temple Lane, and there published for Pope, Gay, Steele, and others" (see "Dict. Nat. Biog.").

Brick Court and Middle Temple Lane

1881

said chamber and building on the south, and a little yard divided by a wooden partition from the ground of John Brothett on the north. This was probably a building subsequently let to Messrs. Child and Co. In the year 1877 an arrangement was come to with Messrs. Child and Co., by which a straight line was drawn north of Brick Court (approximately shown on Mr. Wadling's plan) and, by a deed dated the 31st December 1877, the ground belonging to the Middle Temple lying to the north of this line was conveyed to Messrs. Child and Co., and the latter conveyed to the Middle Temple Trustees the ground belonging to Messrs. Child and Co. lying to the south of this line. A small yard, also a passage leading through chambers into Brick Court, nearly opposite the north-east end of No. 3 Brick Court, were done away with when No. 4 Brick Court and No. 5 Essex Court were rebuilt in the years 1882-3, during the Treasurerships of Masters Samuel Prentice, Q.C. and Sir Francis Roxburgh, Q.C., from designs prepared by the late Mr. J. P. St. Aubyn. Previously the corner building was called No. 5 Brick Court, and the building, the entrance to which was by the passage, was called No. 4 Brick Court.

No. 1 Brick Court was pulled down in the year 1908, and is now being rebuilt in accordance with a design prepared by Sir Aston Webb, R.A.

In a room on the second floor of No. 2 Brick Court, Oliver Goldsmith died on the 4th April 1774, and there is an inscription to that effect on the left hand side of the window facing Middle Temple Lane.[1]

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[1] The three nights' success of Goldsmith's comedy of the "Good-natured Man" produced him nearly £400, and enabled him to remove from the Library Staircase, Garden Court, to Chambers in No. 2 Brick Court, which he purchased for £400. They were on the second floor, on the right hand ascending the staircase, and consisted of two reasonably sized old-fashioned rooms, with a third smaller room or sleeping-closet, which he furnished handsomely. Here he gave dinners at which Johnson, Percy, Bickerstaff, Kelly, and a variety of authors of minor note, were guests. Exactly below Goldsmith's were the chambers of Mr. Blackstone; and the rising lawyer, at this time finishing the fourth volume of his Commentaries, is reported to have made frequent complaint of the distracting social noises that went on above: Forster's "Life of Oliver Goldsmith" (1903 ed., p. 302).

Cf. Thackeray's comparison of Pendennis and Warrington with Paley in "Pendennis," chap. xxix, "The Knights of the Temple." In his ballad "The Cane-bottom'd Chair,"

In the year 1704 another fire occurred at No. 3 Brick Court, which in consequence had to be rebuilt, and the following inscription appears over the doorway:

"Phoenicis instar Revivisco
Martino Ryder Arm̃°
Thesaurario
Anõ Dom̃ 1704."

Barbon's Conveyance. Essex House Garden. Boundary Wall.

In the year 1676 the precincts of the Middle Temple were considerably enlarged by the purchase from Dr. Nicholas Barbon of ground which formerly formed part of Essex House Garden. By deed[1] dated the 16th May 1676 Dr. Barbon conveyed to the Trustees of the Middle Temple the boundary wall then dividing the Middle Temple from Essex Garden, beginning at the north-west corner of Essex Court to the Bench Garden, and round the Benchers' Garden (as shown in Ogilby's plan) and the Common Garden beyond to a stone building adjoining the Thames; also outside this boundary wall the site of seven feet on the south side of the buildings of Essex Court (double hatched on Mr. Wadling's plan) and New Court and New Court Buildings; also the site of Nos. 1 and 2, formerly Nos. 4 and 3, Garden Court; together with the wall piers and gates lately erected at the north-west end of the new buildings, then newly erected, and opening into Devereux Court;[2] also the two stacks of buildings on the pieces of ground conveyed, one standing on the north or north-west side, and having one stair-

Gate into Devereux Court.

Thackeray, who was a member of the Middle Temple, describes another inhabitant of the Temple—not quite extinct:

"In tattered old slippers that toast at the bars,
And a ragged old jacket perfumed with cigars,
Away from the world and its toils and its cares,
I've a snug little kingdom up four pair of stairs."

[1] The impression on Dr. Barbon's seal attached to this deed is peculiar and suggestive, being the backbone and ribs of a human skeleton; see note *ante*, p. 60.

[2] The first London coffee-house, "The Grecian," was opened in Devereux Court in January 1665, by Constantine a Grecian. It became noted for its learned society. Bickerstaff in "The Tatler" No. 1 (1709) announced that "All Accounts of Gallantry, Pleasure and Entertainment, shall be under the Article of White's Chocolate-house; Poetry, under that of Will's Coffee-house; Learning, under the Title of Græcian; Foreign and Domestick News, you will have from St. James's Coffee-house; and what else I shall on any other subject offer, shall be dated from my own Apartment." Dr. William King writing in 1762

Entrance to Falsgrave Place, Essex Court 1880

case therein (this would be No. 1 New Court), and the other on the south or south-west side of the Bench Garden, with two staircases therein (these would be Nos. 3 and 4 Garden Court). The last mentioned would seem to have been built about this time, as they do not appear on Ogilby's plan of 1677, which must have been made a little earlier than the date given to it, as Ogilby died in September 1676.

The buildings on the north side of Brick Court, and those of Brick Court fronting the Hall, were erected towards the end of 1679 and the beginning of 1680.[1] The north-west wing of Essex Court seems to have been erected earlier. The passage from Essex Court, through the house called the Palsgrave's Head, was ordered to be made on the 26th November 1641.[2] On the 22nd June, 1655 liberty was given to Mr. Agar "to build the plot of ground in Essex Court next the tavern." The Palsgrave Buildings in old Essex Court were not destroyed by the fire of 1679 (see *ante*, p. 59). Shortly after the date of Dr. Barbon's conveyance the buildings in New Court appear to have been erected; also a passage from Essex Court into New Court was then made,[3] but in the year 1677 the west side of Essex Court was rebuilt, on the report of a committee that the new building "should be joined on the east side to the toothing left in Agar's building,[4] to go straight down to the Bench Garden wall; on

Essex Court.

Palsgrave Head Passage.

(Anecdotes, p. 117) says that he remembered a dispute at the Grecian between two friends, concerning the accent of a Greek word, being carried to such a length that they thought proper to determine it with their swords; for this purpose they stept into Devereux Court where one of them (whose name he thought was Fitzgerald) was run through the body, and died on the spot. In 1736 Mrs. Mapp, the famous bone-setter, performed her cures here before Sir Hans Sloane. It was closed in 1843.

[1] Mins. of Parl. 24th October 1679.

[2] *Ibid.* The Paltsgrave became a popular sign at the marriage of Frederick Casima, Elector and Count Palatine of the Rhine, King of Bohemia, with Elizabeth, daughter of James I. The Count resided in Essex House. From the issue of the marriage, Princess Sophia, our present Royal Family trace their descent. This famous tavern, like many others of the seventeenth century, would appear to have been upstairs above a shop, since in 1679 there was a "Mr. Crutch, Goldsmith near Temple Bar, at the Palsgrave Head." ("History of Sign-Boards," by Larwood and Hotten, p. 54.)

[3] Mins. of Parl. 14th April 1676; 9th June 1676.

[4] This building was erected by John Agar, the father of Thomas Agar who married Ann, the only sister of John Milton the poet, and widow of Edward Phillips, secondary of the Crown Office, whom Thomas Agar succeeded in that office. Both father and son were members of the Inn. Thomas Agar died in 1673 and was buried in the Temple Church.

the west side to go seven feet into New Court according to the articles with Dr. Barbon; at the north side of the new building an aiery to be left as now; the height of the building to be three pair of stairs."[1] There is over each side of the archway between New Court and Essex court [T / A C / 1677], notifying that Anthony Collins was then Treasurer. The south-west wing of Essex Court would seem to have been rebuilt in the year 1684, "where an old Banquetting Hall stood lately."[2]

The passage into Palsgrave Place was closed about the year 1883, when the buildings on the north side of Essex Court were pulled down and re-erected. The present archway leading from Essex Court into what is now known as the Outer Temple was built in the year 1883.[3]

Garden Court.

No. 1 Garden Court was rebuilt in the year 1884 during the Treasurership of Master Henry Thomas Cole, Q.C., and No. 2 Garden Court in the year 1885 during the Treasurership of Master William Housman Higgin, Q.C. Both buildings were designed by the late Mr. J. P. St. Aubyn. The buildings pulled down were in the year 1832 called Garden Court Buildings, and afterwards Nos. 4 and 3 Garden Court respectively; No. 3 being the south block. Nos. 1 and 2 Garden Court were then what are now known as Plowden Buildings.

The Fountain.

The Fountain was made in the year 1681 (see *post*, p. 106).

Fountain Court.

In the year 1871 a house, No. 33 in Essex Street, was pur-

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[1] Mins. of Parl. 29th June 1677.

[2] *Ibid.* 27th April 1683. This may have been a temporary banqueting hall pending the building of the present hall.

[3] In Petyt MSS., No. 538, it is mentioned that Essex House and Garden were sometimes called "y^e^ Outward Temple." Incidentally it may be mentioned that John Evelyn (1620-1706, Diarist, author of "Sylva," etc.) lived in Essex Court, and Christmas 1642 he was chosen one of the Comptrollers of the Middle Temple Revels. Edward Capell (1713-1781), Shakespearean commentator, also lived in Essex Court in the year 1767: see Pearce's "Guide to the Inns of Court." The great Greek scholar, Richard Porson (1759-1808), resided at No. 5 Essex Court. Gurney, afterwards Baron Gurney, who lived in Chambers on the floor below, used to be disturbed in his sleep by Porson's coming upstairs drunk: see Roger's Table Talk, "Porsoniana."

Middle Temple Hall

1667–1745

From a picture in the possession of the Hon. Soc. of the Inner Temple

Middle Temple Hall

1745–1832

Middle Temple Hall

and

Plowden Buildings (built 1831) Entrance Tower (built 1832)

chased by the Society. It was pulled down in the year 1881, and rebuilt, and an entrance made to it from Fountain Court.

Essex Street buildings.

No. 32 in Essex Street was purchased by the Society in the year 1890, and the four adjoining houses, Nos. 31, 30, 29, and 28 in Essex Street were purchased in the year 1909.

The Hall Tower.

Passing now to the east and south sides of the Hall.—It would seem that when the Hall was first built chambers were erected at the eastern end, as there is a Minute of Parliament 26th May 1571 admitting "to the newly built Chamber at the Eastern end of the new Hall, on the North side of the new buttery, together with the upper room over it." According to Master Worsley (see *post*, p. 105) the Tower was erected in the year 1667 with six circular steps from the Court on the north side, as appearing in the first engraving of the Hall. Kirby says that this Tower was rebuilt in the year 1745. The new Tower is shown in the second engraving. It was again rebuilt in the year 1832 from designs by James Savage, as shown in the third engraving; and then, as also appears by the same engraving, the chambers on the east side of the Tower were removed.

Plowden Buildings.

Originally Garden Court extended on the whole of the west and south sides of the Hall, and also on the west side of buildings now known as Nos. 1 and 2 Plowden Buildings, as shown on Ogilby's plan and the plan of 1732. The earlier building on the site of Nos. 1 and 2 Plowden Buildings would seem to have been erected shortly before the year 1626, as it is described in a Minute of Parliament of the 26th June 1626 as the "New building adjoining the Hall"; and in the same Minute "on account of the great cost lately bestowed on the Parliament Chamber near adjoining the Hall, it shall be reserved for the Masters of the Bench and no Reader shall use it to breakfast," etc. This building was originally called Garden Building, and in it was not only the Parliament Chamber, but in the year 1642 the books given to the Society by the will of Robert Ashley, the founder of the Library, were removed there.[1] On the same staircase the butlers of the Inn also had lodgings, and it was

[1] Mins. of Parl. 29th April 1642.

on the Library staircase that Oliver Goldsmith lived in the year 1767, and it is said that when he first came to Garden Court he was an inmate with Jeffs the butler.[1] The buildings on the site of No. 3 Plowden Buildings were not erected until the year 1687. In that year Dr. Barbon made proposals for building on a void piece of ground near Garden Building, which were assented to, and he was allowed a passage into Middle Temple Lane between Garden Building and the buildings to be erected.[2] These buildings were called Barbon's Buildings, and are so described in the Deed of Partition and on the plan of 1732. They consisted of two parallel ranges of buildings. They would seem to have been rebuilt shortly after the year 1732, and they appear as one block in a plan of 1805. At an early period Barbon's Buildings came to be called No. 1 Garden Court, and the old Garden Building No. 2 Garden Court. The buildings we now call Garden Court on the west side of the Hall were then called Garden Court also, the south block being No. 3 and the north block No. 4 Garden Court. This description continued until about the year 1831-2, when No. 2 Garden Court was rebuilt after designs by Henry Hakewell,[3] and then the new buildings were called Nos. 1 and 2 Plowden Buildings, and No. 1 Garden Court was called No. 3 Plowden Buildings, and Nos. 4

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[1] See Prior's "Life of Goldsmith," vol. ii, p. 136. While residing at Garden Court Goldsmith first commenced writing stage-plays under the guidance of George Colman, the Covent Garden manager. Here also he was visited by Parson Scott, Lord Sandwich's chaplain, who endeavoured to induce him to write in favour of the administration, and to whom Goldsmith said: "I can earn as much as will supply my wants without writing for any party; the assistance you offer is therefore unnecessary for me." Subsequently the Rev. Doctor Scott, in telling the story of his visit, added indignantly, "and so I left him in his garret" (see Forster's "Life of Oliver Goldsmith," 1903 ed., p. 285). Forster says (p. 292) that among Goldsmith's happiest hours were those he passed at his windows, looking over into the Temple Gardens. "Nor had the benchers thinned the trees in those days: for they were that race of benchers, loved by Charles Lamb, who refused to pass in their treasurer's account 'twenty shillings to the gardener for stuff to poison the sparrows.' So there he sat, with the noisy life of Fleet Street shut out, making country music for himself out of the noise of the old Temple Rookery." The Treasurer was Daines Barrington (1785) of the Inner Temple (see "Elia" in Fitzgerald's edition of Charles Lamb's Works, 1882, vol. iii, p. 281). He was, in fact, a lover of birds, and wrote on the singing and language of birds. It is said rooks were introduced into the Temple Gardens by Sir Edward Northey (Treasurer of Middle Temple 1701) from Woodcote Green, Epsom, in the reign of Queen Anne.

Mins. of Parl. June 1687; and see passage on plan of 1732.

[3] Commenced apparently in 1830 during the Treasurership of Henry Tripp and completed in 1832 during the Treasurership of Frederick Page.

and 3 Garden Court were called Nos. 1 and 2 Garden Court respectively.

The south end of No. 3 Plowden Buildings was rebuilt, and the west front repaired about the year 1849, and the east front was rebuilt in the year 1906.

In the year 1896 alterations were made to the Treasurer's Room, and a new Treasury office and two Lecture Rooms were formed out of the north and south sets of chambers on the first floor of No. 2 Plowden Buildings, approached by a corridor running north and south, with an oak staircase leading down to the Treasury office.[1] Subsequently in the years 1905-6 the north lecture room was converted into a set of chambers, also a smoking room for the Benchers. At the same time a new bay window was added to the south side of the old corridor, and the handsome hall and entrance from the garden were made.[2] In the year 1907 the south Lecture Room was converted into a set of chambers.

Parliament Chamber.

The present Parliament Chamber and the Benchers' Reading Room were built in the years 1822-3, and the following inscription is to be found on the west wall:

"Ædificium Hoc
A Johanne Mander
Nuper E Magistris de Banco
designatum
Et Sub Auspiciis Georgii Domini Kenyon[3]
Thesaurarii MDCCCXXII-III
Feliciter Inceptum
Franciscus Bushell Reaston
Thesaurarius MDCCCXXIII-IV
Consummavit."

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[1] These alterations were made from plans prepared by Mr. H. J. Wadling. The glazing of the east window of the corridor was by Messrs. James Powell and Sons.

[2] The alterations of 1905-6 were from plans by Mr. Reginald Blomfield, A.R.A.; but the Inn is principally indebted to the late Master Badcock, K.C., in bringing about these commodious and excellent alterations.

[3] George, Lord Kenyon, was the son of the well-known Chief Justice of the King's Bench.

On the erection of the Parliament Chamber the Library was removed there from No. 2 Garden Court (Plowden Buildings), the entrance being by the little door from the garden under the west end of the Hall, and it continued there until the present Library was built in the year 1861.

The shops to which Master Worsley refers as adjoining the west side of the Hall (see *post*, p. 150) were probably removed in October 1758-9, when it appears from the accounts plans were drawn of the west end of the Hall.

Lower Garden.

The brick wall "enclosing and making private the low walks towards the Thames," part of which is shown on the plan of 1671, was built in the years 1648-9.[1] Downing says that there was a void space of ground at that time, and there was no garden belonging to the Society, except a small one where the fountain now stands, which was then also enclosed, and was called the Benchers' Garden (see *post*, p. 106).[2] On the 27th October 1676, after the purchase from Dr. Barbon of the Essex garden property, it was ordered that the gateway leading into the lower garden should be removed and set in the middle of the ground.

The Water-Gate.

The Water-Gate and Gate Place opening on to the Temple Water Bridge is excellently depicted on the plan of 1671, and it was then close to the south-east corner of the site on which Barbon's Buildings (No. 3 Plowden Buildings) were subsequently erected. Between the years 1767 and 1770 part of the foreshore, being from north to south about 57 feet on the west side and 110 feet on

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[1] Mins. of Parl. 21st April 1648; 8th June 1649. In the plan, *temp.* Eliz., to be found in the Atlas of London and Suburbs published by G. W. Bacon and Co. in 1881, it appears that in the sixteenth century there was a wall along the river, with gates through the wall and stairs on the water side. Agas's plan (1560) and Ryther's plan (1604) show the same thing: see Loftie's "History of London" (1883). It would seem from the Inner Temple Records that the erection of the first wall was begun 16 Hen. VIII.

[2] In Shakespeare's time, about fifty years earlier, there was probably a fair garden, since it was here that he lays the scene where the distinctive badges (the white and red rose) of the houses of York and Lancaster were first assumed by their respective partisans: see First Part of Henry VI, Act II, Scene iv.

the east side, shown on Mr. Wadling's plan, was embanked and enclosed, and then the Pier was removed to the new front of the River. There it remained until the year 1865 when the Thames Embankment was made, and the further addition made to the Temple Garden also shown on Mr. Wadling's plan. The history of the Bridge and Pier is recorded by the following inscriptions on a box in the Hall, used as a wine-cooler, made out of a leaden cistern or case bearing date 1612, the lids of which are made from part of the oak-work removed.

"In memoriam. These oaken lids are the last remains of Old Temple Bridge which was erected by the Knights Templars—restored after their dissolution by order of Edward III A.D. 1331 [Rymer's "Fœdera," iv, 464] and again by the Societies of the Middle Temple and the Inner Temple with the aid of Queen Elizabeth A D 1584 [Lansdowne MSS., 105].[1]

"This ancient pier was removed in embanking Temple Gardens A D 1767 to the new front of the River [Order book, 371] where it remained till demolished in making the Thames Embankment A D 1865 when a stone landing place was built on the new front for the use of the two Inns of the Temple [25 and 26 Vict. cap. 93, sect. 30]."

The present pier, or landing place, is formed of granite steps, with iron bars and standards bearing the Inner and Middle Temple badges. Draw-bars are provided to close the gangways, and the Middle Temple Warders close these bars on the first day of each month from 11 a.m. till 4 p.m.

Temple Gardens.

No. 3 Temple Gardens was built in the year 1876, and No. 4 Temple Gardens in the year 1880, from designs by the late Sir Charles Barry.

The Library.

In the year 1857 Essex wharf and certain warehouses and buildings, adjoining the west side of the Temple, the site of which is just outside the City boundary, and is shown on Mr. Wadling's

[1] The accounts show that the Stone Bridge was in the year 1641 again restored or built at the joint expense of the two Societies at a cost of £335 11*s*. Extracts from Accounts, p. 155. See also *post*, p. 107.

plan, were purchased. The buildings were pulled down, and the present Library was built in the year 1861, during the Treasurership of Master James Anderson, Q.C., from designs prepared by the late Mr. H. R. Abraham. The Library lodge and large gates were also built in the year 1861, from designs prepared by the late Mr. J. P. St. Aubyn.

In the year 1884 the piece of land at the rear and on the south side of Nos. 24 and 25, Essex Street, and extending from the foot of the Library steps to the stairs at the end of Essex Street, was purchased and a more commodious entrance made to the Temple on that side.[1]

The handsome addition on the north side of the Library, being the principal entrance, with two small rooms above, was erected in the year 1905, during the Treasurership of the late Master Sir Cornelius Marshall Warmington, K.C., from designs prepared by Mr. H. J. Wadling.

The memorable occasion of the opening of the Library in the year 1861 by His Royal Highness the Prince of Wales (His present Majesty the King) has already been referred to (*ante*, p. 34).

The two sets of chambers on the ground floor of the Library building have been used as a Common Room by the barristers and students of the Inn since 1880.

Sundials.

It may not be inappropriate in connection with the buildings, and to conclude this Introduction, to give a short account of the sundials in the Middle Temple; as Bernard Barton says:

> "I love in some sequestered nook
> Of antique garden to behold
> The page of thy sun-lighted book,
> Its touching homily unfold."[2]

There are in all now six sundials.

1. Over No. 5 Essex Court, on the North Wing which was

[1] When Stow wrote his "Survey of London" (1598), there were two doors for a passage into the Temple from Waterman's Lane.

[2] Bernard Barton was a friend of Charles Lamb, and may have had our garden and sundials in mind.

Middle Temple Library

rebuilt in 1882, and now almost hidden by the opposite building, is a sundial with the motto

"Vestigia Nulla Retrorsum,"[1]

and on it is now placed [S P / T / 1882][2]

This sundial was first made and set up in the year 1685, and there is an entry in the accounts in respect of it:

"27 May 1685 Making Sun Dial in Essex Court £6. 11. 0."

2. There is another sundial in Hall Court, that is, over No. 1 Essex Court, facing the Hall. It bears the motto

"Discite Justitiam Moniti,"[3]

and on it is now placed [T / J. G / 1902]

3. Over No. 4 Brick Court, rebuilt in 1883, is a sundial with the motto

"Time and tide tarry for no man,"

and on it is now placed [F R / T / 1883]

It was first put up in the year 1695, and there is an entry in the accounts in respect of it:

"6th Nov. 1695 Dyall in Brick Court put up £2. 2. 6."

4. There is a sundial in Pump Court with the motto

"Shadows we are, and
Like shadows depart."

It now has on it [T / Sir R B F / 1903]

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[1] "No steps backwards." Having regard to its altered position perhaps a more appropriate motto would now be:

"True as the dial to the sun
Although it be not shin'd upon."
BUTLER'S "Hudibras."

[2] Mrs. H. K. F. Eden and Miss Eleanor Lloyd in "The Book of Sun-Dials" (1900), originally written and published by Mrs. Alfred Gatty in the year 1872, but begun by her many years previously, say (p. 437): "The dates on the Temple dials are altered every time they are repainted, so are no guide to the time of their first erection."

[3] "Learn Justice, being warned."

This was put up in the year 1686, and there is an entry in the accounts in respect of it:

"25th Nov. 1686 Sun Dial in Pump Court £6. 5. 0."

5. There is another sundial on No. 6 Elm Court, rebuilt in the year 1880. It faces the Hall and bears the motto

"Pereunt et Imputantur."[1]

When Mrs. Alfred Gatty first copied this on the old building, before the rebuilding of Elm Court, it was not quite in the same position, and it bore the date 1818. It now has on it [T 18 / C M 80]

6. Lastly, there is a pedestal sundial on the South Terrace of the Garden, near the Embankment. This was made in the year 1719, as appears from the following entry in the accounts:

"11 Dec. 1719. Making a dial, engraving the foreign meridian all over the world £19. 1. 10
Steps and pedestal for same £6. 2. 6"

It is now stamped on the south side of the dial with [T / H T / 1830], and on the north side it is further defaced with an inscription that it was renovated by Newton and Co., 1878.

Like Bernard Barton, many still love to linger and reflect under our old sundials and in our antique garden, but let us conclude by quoting from one of our "Absent Members"—all of whom, with "Domus," shall be ever present:

"Thus either Time his sickle brings
In vain, or else in vain his wings."[2]

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[1] "They pass by and are reckoned."
[2] Thomas Carew: "Persuasions to Joy."

OBSERVATIONS
HISTORICALL AND CHRONOLOGICALL
ON THE
CONSTITUTION CUSTOMS
AND USAGE OF THE
MIDDLE TEMPLE

Cha: Worsley
May 10°
1734:

HISTORICAL AND CHRONOLOGICALL OBSERVATIONS

THE Middle Temple of which I am about to speak is part of [j.]
the ground whereon stood the Mansion house of the Knights Templers,[1] who, about the year 1133,[2] removing from their old habitation in Holborn (now called Southampton Buildings) hither, gave this place the denomination of the New Temple; which contained that tract of ground whereon now stand the buildings of the two Societies of the Middle and Inner Temple and a part of that which was afterwards Essex house and gardens.

The dispossession of the Templers and the several revolutions of this part of their possessions 'till it was given to the Knights Hospitalers of St. John of Jerusalem by the Grand Council of Vienna is sufficiently taken notice of by Sir William Dugdale in his Origines [2.]
Juridiciales (so as to need no repetition here).[3] The time he assigns to its being lett to the Students of the Law is some part of the reign

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[1] Downing and Kirby spell this word throughout "Templars."

[2] As to this date see *ante*, p. 13.

[3] Kirby here adds "however for the satisfaction of the curious we will repeat his "own words," and proceeds to quote in inverted commas the following which is a copy of what is contained on two fly-leaves, paged [a] and [c], at the commencement of the book containing MS. No. 1. It is not, however, either a quotation or taken from the "Origines Juridiciales," but that contained on page [a] is a short epitome from Stow's "Annales," pp. 1069, 1070, and that on page [c] is from other sources.

"The Order of the Knights Templars was suppressed by the authority of Pope [a.]
"Clement the first. But all their Estates were by a General Council holden at Vienna "conferr'd on the Knights of S[t] John of Jerusalem (called also Joannites), and after "Knights of Rhodes, and lastly of Malta. And this Ordinance of that Council was "confirmed to the Knights of S[t] John's residing in England and by act of Parliament in "the 17[th] of K: Edward 2[nd]. After this suppression their House in Fleet Street came to "the hands of divers Lords. First, Plantagenet Earl of Lancaster had it; then Spencer "Earl of Gloucester had it; then Andomare De Valence Earl of Pembroke had it.

of Edward 3[d], from which they have held it under different tenures 'till this time viz[t].

Undoubtedly under their first landlords the Knights Hospitalers 'till their dissolution in the 30[th] year of Henry 8[th], and from that time under the Crown, sometimes by lease, sometimes as tenants at will, 'till [1] the 6[th] year of King James the first, when they purchased a Grant thereof to the Benchers of both Societies to them their heirs and assigns for ever for the Habitation and Education of the Students of the Law, together with all the priviledges and immunities it then did or thentofore had enjoyed, with a power to hold a
[3.] Court Leet etc. (tho' I do not find that they have hitherto put that power in execution), reserving only to the Crown the Advowson or Right of Nominating the Rector of the Church belonging to the

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"And in K: Edward 3[d's] time the lawyers got a lease of it (*i.e.*) of 2: parts of it by the "names of the Middle and Inner Temple from the Joannites at the rent of 10[ls] per ann. "But the other 3[d] part called the Outward Temple, Stapleton Bishop of Excester "had got in the Reign of K: Edward 2[d], and 'twas then called Exeter Inn, after that "the Lord Paget had it, after that the Duke of Norfolk bought it, who conveyed it to "the Earl of Leicester, who bequeathed it to his son Sir Robert Dudley, who sold it to "the Earl of Essex, who built Essex house thereon, having first been a part of the "Templars House, and in regard of the situation thereof without the Barr was called "the Outward Temple as the others for the like causes were called the Middle Temple "and the Inner Temple.

"Vide Stow's Annales fo. 968: 970.

"N.B. King James 1[st] in the 6[th] year of his reign granted the inheritance of the "two Temples to the Benchers.

[c.] "The Earl of Essex was attainted in the Reign of Queen Elizabeth, he left one "son & two daughters.

"King James 1[st] restored his son to his honors and estates, but he dyed without "issue, so his estates came to his sister the Dutchess of Somersett, and to Sir Robert "Shirley, (his other sister's son). They made a partition of the estates, and Essex "house in the Strand was allotted to the Dutchess of Somersett, who by her Will "devised the same to Thomas Thynn, the late Lord Viscount Weymouth, who sold it "to Doctor Barbon, and he sold a part of it to the Society of the Middle Temple (*i.e.*) "the Doctor sold the ground on which the West building in Garden Court is erected, and "also the ground of all New Court, and the ground about seven feet in depth which "runns the whole length of that building of Essex Court which ffronts New Court."

[1] The words "13[th] Aug[t]" are interlined, and the following note in the same handwriting is added at the foot of this page, "Letters Patent were dated 13 Aug[t]. 6 Jac. "and the grant was to Julius Cæsar and other Masters of the Bench and to their heirs." Neither the words interlined nor the note are in either Downing's or Kirby's MS. or in MS. No. 2.

said two Societies (which Rector is usually called the Master of the Temple, but by what right or curtesy, or the time of its commencement, I do not find) and a yearly allowance to the said Rector of seventeen pounds six shillings and eightpence,[1] and also an annual rent of ten pounds per ann. from each Society. Which rent was settled as part of the dowry of Catherine Queen Consort to King Charles the 2[d], and enjoyed by her 'till her death, after which the part payable by the Middle Temple devolv'd on the said Society, the reversion having been purchased from the Crown anno 1677.[2]

I think it admits no dispute that those now two fflourishing Societies were originally one, voluntarily associated, subjecting themselves to certain Rules and Orders framing a form of Government within themselves, which it is reasonable to conclude was near the same whereby they are now governed, but the time when or reason why they separated[3] I no where find, yet it may not be altogether fforeign to the present purpose to offer the following conjectures.[4] [4.]

Such separation must be either voluntary or involuntary.

That it was not involuntary I think reasonable to conclude, since it is no where found that the Civil Magistrate ever took any cognizance of the Rules and Orders for the regulating and management of the Societies[5] (otherwise than the Judges sometimes recomending, never fforcing, such Rules as they thought might be necessary, as will be observed hereafter). On the contrary all Rules and Orders

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[1] Downing, but not Kirby, here adds "(the King also obliging himself and his successors to allow the said Rector £20 per añ.)"

[2] There is a pencil note in both Downing's and Kirby's MSS. that the date was 14th November 1673. This is correct, see *ante*, p. 26.

[3] Both Downing and Kirby in their MSS. spell this word throughout "seperate."

[4] As to this theory see *ante*, p. 13. The late Mr. Inderwick in his Introduction to vol. i of the "Calendar of the Inner Temple Records," says: "By the time of "Henry VII, the separation of the Middle Temple from the old house, thenceforward "described as the Inner Temple, had taken place"—but his statement is not supported by any evidence whatever that the Middle Temple separated from the Inner Temple or that the latter was the older house.

[5] Downing, but not Kirby, substitutes for the rest of this paragraph the following: "(save only that sometimes the Judges recommended such things as they "thought might be proper to be digested into Orders which have always been made 'by the Societys themselves) which had they done would have undoubtedly been 'handed down to us by some historian or other."

have been made by the Society themselves, and had there been any controling power over the Societies such jurisdiction would undoubtedly have been handed down to us either by some consonant custom or some historian or other.

[5.] Therefore it follows that their separation must have been voluntary, though it remains yet to be considered whether such separation was in an amicable or inimicall maner.

The former, I think, seems the most ffeazible; for if we imagine that strife and contention gave rise to their separation we shall be at a loss to assign the subject of such contention. It is scarcely possible it should be a personal quarrell which caused their separation, ffor it is not to be imagined that all those persons resident in one part of the House should take one side of the question and those resident on the other part the other side: and if we conceive a locall quarrell to have happened on occasion of some alterations or amendments propos'd in one part of the House which would not be agreed to by the governors, it is difficult to apprehend that all the neighbourhood should agree in the resentment so far as to incur the denomination of inovators and seditious, as such a revolution would naturally asperse the separators with.

It is therefore more reasonable to believe that the Society superabounding with numbers too great to be contained in one
[6.] Dining Hall made a voluntary unanimous separation for their greater convenience.

In this place it may not be amiss to make some reflections on a question much disputed (viz^{t}) which of the two is the senior Society each claiming the seniority.

The chief argument I have heard made use of by the Inner Temple to defend their pretension is the antiquity of their Hall, which (say they) was such when the Knights Templars resided here. To prove which they produce some antiquities in some of the offices thereto belonging, which (it seems) witness the ancient date of that building.

But this argument I think scarcely sufficient to defend their pretension, ffor the separating party (as mentioned before) might erect a Hall in such place where some remains of the Mansion house of the Templers still stood as being the most convenient place, probably to save expence or for some other reason.[1] [7.]

Another reason that seems (primâ facie) to offer in defence of this pretension is that they possess the larger space of ground.

This I think easily obviated, if not made an argument to the contrary, ffor tho' they do possess more ground they do not at this day possess a great many more buildings, and probably then not near so many. The King's Bench Walks it is certain were then either planted or waste ground; it may be the latter; and assigned to those who thought fit to separate from the original body in order thereon to erect such Chambers as they thought necessary; which they did, raising buildings on each side thereof of different values, according to the capacity, or inclination of the builders. Those on the West side thereof, now called Paper Buildings (perhaps from their original condition), were low studded and plaistered buildings, and so continued, till of late years they were transformed into the stately edifices they now appear.

But what I think seems the greatest objection to all the pre- [8.]
tensions of the Inner Temple is, that the Middle Temple to this day retains the Arms or Badge of the Templers.

I think it is not to be doubted that the Society before the

Downing here inserts the following paragraph.

"But what seems to be a materiall objection to this pretended antiquity of the "Inner Temple Hall is First that neither the style nor strength of the building seems "to have been so antique Secondly since the Hall formerly of the Middle Temple, "which was situate between Pump Court and Elm Court (whose foundations, which "were seen when the ground there was opened to repair a well anno 1735, seemed "to be the foundation of a much stronger building than the Inner Temple Hall), "was decay'd through age near one hundred and seventy years since, it is scarce "credible that the Inner Temple Hall a weaker building, if it was older also, could so "long survive it."

Dugdale ("Orig. Jurid." p. 146) says that the Hall of the Inner Temple was a much later structure than the Church, as appeared by the form of the windows, which he supposed to be about King Edward III's time.

separation assum'd the said Badge, therefore, that the Middle Temple after the separation retained it, is a strong argument that they were the Standing Society, that all or the majority of the then Governors were of that part of the Society which was afterwards called the Middle Temple, and that the other part of the Society separating themselves had a certain portion of the ground assigned for them to reside in, and perhaps (as I before observed) the Wast ground to build on, and then chose themselves new Governors, and made such alteration in the Rules and practices which the other retained as they either thought necessary or sufficient to distinguish them from the other Society.

[9.] But allowing that the Society in its primitive state did not make use of the Templers Badge or Arms, but that at or since the separation they assumed those Badges by a proper authority issuing from the Heralds Office, it is scarce to be imagined that the Society of the Inner Temple would have suffered their junior Society (raised from a cien taken from their stock) to obtain so singular a token of their antiquity, as to distinguish themselves by the Badge of the ffounders of the House they possessed, without desiring to be heard, and being heard would undoubtedly (could they have given any assurance of their seniority) have turned the scale, and themselves have become masters of that remarkable Badge.

Therefore I think it naturally follows that at what time soever the societies became intitled to those Badges there were then no pretences to seniority in the Inner Temple, and in a great measure seems to justify the first supposition viz^{t} that the Society of the
[10.] Inner Temple was first raised from a certain number of Barristers and Students (or what ever other denomination they then gave them) voluntarily separating from the main body, with the consent and approbation of the Benchers governors of the Society, few (or rather none) of which separated with the others, but still retained their government over the part which remained, which then acquired the name of the Middle Temple, in respect of their situation towards the city and another part of the Templers possessions, afterwards part of Essex Garden, which was called the Outer Temple, which probably might have been a part which (the Societies not having

occasion to employ) might have been lett by the Hospitalers to other tenants, and when it came to the Crown otherwise disposed of; some small part of which was afterwards conveyed to the Middle Temple as will be observed farther on.

Thus the Society being divided into two, that part which separated might bethink themselves of some proper Badge suitable to the Society they had established, accordingly pitched upon that very agreeable Emblem of Learning the Pegasus.[1] [11.]

There is one more argument made use of in defence of their pretension, which is, that in the sixth year of King James the first (when they obtained[2] a Grant of the ground and buildings to the Benchers of both Societies in trust for the Societies for ever) the precedence was given to their House by placing the name of Sir Julius Cæsar the first, who was a Bencher of their House, which (say they) is an argument that it was then generally allowed that the Inner Temple was the senior Society.

This I think very readily obviated, since the preference was undoubtedly given to the man on account of the post he enjoyed, not on account of the society for which he is there placed a trustee (he being at that time Chancellor of the Exchequer), and very likely the person by whose mediation they obtained that Grant.[3]

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[1] Worsley seems to have been ignorant of the true origin of the Arms or Badges of the two Societies, see *post*, p. 285, note.

[2] MS. No. 2 contains the following foot-note: "Pat. 6 Jac. I, pa. 28."

[3] Downing, but not Kirby, here inserts the following paragraphs:

"On the other hand I think by inspecting the said Grant an argument of some "weight will arise to justify the assertion that at that time no precedence was claimed "by either Society. And it is to be apprehended that they were very solicitous that "the order of names in that instrument, where both Societies were obliged to be "mentioned, should not in after ages afford any pretence for attempting a priority in "either Society.

"For amongst all the Trustees for both houses there were but two persons in "high stations, which were Sir Julius Cæsar of the Inner house then Chancelor of the "Exchequer and Sir Henry Mountague of the Middle house then Recorder of "London. The first place for the reasons before mentioned became proper to be "given to Sir Julius Cæsar and the next to Sir Henry Mountague.

"But because it would have given too great a pretence to the Middle house had "they changed the course of the series there (by administring occasion to say that they

But to which ever of the Societies the seniority may seem to
[12.] appertain, I see no value in it worth contending for, since no preference is thereby acquired, all the Societies of Court being upon an equal ffooting, no one having any right to precedence before the

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"were so rang'd on account of their stations only, but that all the rest of the Patentees "gave the preference to the Middle house) to avoid which and to preserve a strict "equality, the two Treasurers, who had no pretence to preference, were plac'd in the "same alternate order. But that this order of names should give no pretence of priority "to the Inner house, the series was (immediately after the mention of these four) "chang'd, and the preference through all the rest, being forty nine in number, was "given to the Middle house.

"All which will appear more conspicuous from the following list of the Patentees "in the order wherein they stand in the Patent expressing what house they did "belong to.

"A List of the Patentees in the Patent Granted by King James the First "to the two Societies of the Temple.

"Sir Julius Ceasar Kn[t] Chancelor and Under Treasurer of the Exchequer	Inner Temple
"Sir Hen: Mountague Kn[t]: Recorder of London and Kings Councell	Mid: Temple
"William Fowse Esq[r] Treasurer	Inner
"Richard Daston Esq[r] Treasurer	Middle
"Sir John Boys Kn[t].	Middle
"Andrew Gray.	Inner
"Thomas Fermer	Middle
"Richard Radcliffe	Inner
"Mathew Dale.	Middle
"Hugh Hare	Inner
"Mathew Cratchrode	Middle
"George Wylde	Inner
"Thomas Pagett	Middle
"John Hare	Inner
"William Gibbs	Middle
"Richard Brownlow.	Inner
"Bartho: Mann	Middle
"Edm[d] Prideaux	Inner
"John Cavell	Middle
"George Croke	Inner
"Henry Hall	Middle
"Roger Dale	Inner
"Richard Swayn	Middle
"Anth[e] Dyott	Inner
"Francis Morgan	Middle
"Edw[d] Stapylton	Inner
"Nicholas Overbury	Middle

other; as was agreed and allowed at a Meeting on that account 18th May 1620 (by reason Mr Masters then Master of the Temple gave the preference to the Inner House in administring the Sacrament) before 4 of the Judges (vizt) Sir Henry Mountague, then Lord Chief Justice, and Mr Justice Dodridge, who had been of the Middle Temple, on behalfe of that Society, and the Lord Chief Baron [1] and Mr Baron Bromley, who had been Members of the Inner Temple, on behalfe of that society, together with several of the Benchers of both Societies, which agreement stands expressed in the Book of Orders in the following words: Also his Lordship and the Judges aforesaid held it not fit to allow to any Inn of Court any precedence or preheminence the one above the other, all the Inns of Court being in all points equal, which the Benchers of the Inner Temple themselves did acknowledge.[2]

"John Hele	Inner
"James Walrond	Middle
"John Harris	Inner
"Thomas Stephens	Middle
"Eliz: Hele	Inner
"George Wrightington	Middle
"Edwd Bromley	Inner
"William Bastard	Middle
"Sir John Jackson Knt	Inner
"John Jermy	Middle
"Richard Gwinn	Inner
"Francis Tate	Middle
"John Walter	Inner
"Francis Moor	Middle
"David Waterhouse	Inner
"Laurence Hyde	Middle
"William Brock	Inner
"George Gascoign	Middle
"Paul Ambrose Croke	Inner
"William Swanton	Middle
"John Lloyd	Inner
"Francis Harvey	Middle
"Thomas Ceasar	Inner
"Edwd Cason	Middle
"William Fletcher	Inner"

[1] Downing adds "Tanfield."

[2] The question of precedence, however, again arose in the year 1736, when the Serjeant's Writs were returnable. There was a dispute between the two Societies as to

[13] The Ground enjoyed by the Middle Temple with its Courts and Buildings are described in the next[1] plan as is also that of the

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the ceremony to be performed in the Middle Temple Hall on the occasion, the Inner Temple insisting that they had the right of precedence to walk in the procession next before the new Serjeants. The matter was submitted for the determination of the Lord Chancellor (Lord Talbot), Lord Hardwick and the Lord Chief Justice Reeve, and they heard two counsel for each Society; but on the eve of the ceremony their Lordships had not time to consider and determine the general question of precedence between the Societies, and therefore confined their determination to regulating the procession on the morrow. Mr. Treasurer Ketelby presented a written Report of the proceedings before the Lord Chancellor, and of the arguments of counsel, at an adjourned Parliament holden the 9th June 1736. This report, as being of interest in connection with the question of precedence, is printed in Appendix V, as well as the account of the ceremony which took place as given in Downing's MS.

[1] There is no plan in or annexed to MS. No. 1. Kirby says merely "described "in the plan," omitting the word "next." There is a plan annexed to Kirby's MS., on which the buildings and the property held in common are coloured as above, but the courts of the Inns held separately are uncoloured. Moreover, there are no numbers marked on Kirby's plan, which is the same as the plan on the Deed of the 17th November 1732, except as to the colouring and minor details. His particular description is the same as in MS. No. 1, with the few exceptions after noticed and the omission of the column referring to a plan.

Downing refers to the "annexed plann," but there is no plan in or annexed to Downing's MS. His particular description differs in many respects, and is therefore subjoined.

"The Middle Temple consists of the following Courts and their respective "Chambers:

	Number marked in the plan.	N° of Staircases.	N° of Chambers.
"Brick Court	1	5	40
"Essex Court	2	5	40
"In this Court is a shop occupied by a barber.			
"New Court	3	1	8
"In this Court is a shop not built on the ground "of this Society, but hath no other entrance but "through this Court.			
"Garden Court	4	4	45
"In this Court under the Hall			3
"In this Court are shops or sheds under the "West end of the Hall, formerly six in number, "now in the occupation of two persons only, the "one a barber the other a stocking weaver. In "this Court is also the Middle Temple Library at "N° 2 over the Kitchen belonging to the society.			
"Over the Parliament Chamber and Offices .			7

Inner Temple, they lying in some places promiscuous and some parts enjoyed by both societies in undivided moieties, for which reason the possessions of the Middle Temple could not well be describ'd without the other, therefore for distinction sake I have coloured all the Courts and Buildings of the Middle Temple with red, those of the Inner Temple with yellow and those in common with green.

"Middle Temple Lane	5	3	25
"there is also a shop on the West side of the Lane "near the Great Gate, with Chambers over it three "stories high, now ocupy'd by a barber; and two "shops on the East side opposite thereto, the one "a stationer, the other a shoemaker; and a small "Chamber near the Watergate lett by lease.			
"Elm Court	6	4	42
"Pump Court	7	6	45
"In this Court is also a shop occupy'd by a "bookseller under a lease from the Society at £8 "per ann.; for which he paid £100 fine.			
"South Church Yard, now called Lamb build- "ing Court, which includes the buildings over the "Cloister, those adjoining to the South side of the "Church, and that called Lamb building, I sup- "pose from the Lamb being painted in a pediment "over the entrance into the staircase . . .	8	4	21
"of which Chambers there are two which are ac- "counted only one Chamber, but are both one & "two pair of stairs high, there is also a shop under "one of them now occupy'd by a taylor, but is not "a seperate Shop but annexed to the Chamber over "it; there are also two small shops under the "Cloysters occupy'd by a barber.			
"Inner Temple Lane	9	1	7
"Churchyard Court	10	3	17
"there is here also a bookseller's shop held by "lease from the house, together with a cellar under "it, and two shops, the one under the Church "porch, the other adjoyning to the lesser Church "door, both occupy'd by stationers.			

"So that there are in all three hundred Chambers and twenty shops besides that "curious fabrick the Hall, the Parliament Chamber, Kitchen and Offices thereto appur- "taining."

The Middle Temple consists of the following Courts and their respective Chambers (viz^{t}):

	N° mark'd in the plan.	N° of Staircases in each Court.	N° of Chambers in each Court.
Brick Court	1	5	40
Essex Court	2	5	39
In this Court is also a shop occupied by a barber.			
New Court	3	1	8
In this Court is an entrance into a shop for the liberty of which they pay an acknowledgement to the Middle Temple of 6^{d} per ann. by Order 13th June 1684.			
[14.] Fountain Court	12		
Two shops both barbers.[1]			
Garden Court	4	4	52
In N° 2 in this Court one pair of stairs North is the Library which is over the kitchen of the Society.			
In this Court are also six small shops or sheds erected against the West end of the Hall and three shops facing the building N° 1 called Barbon's Building.[2]			
Over the Parliament Chamber and Offices belonging to the Hall	5	2	7
Middle Temple Lane	6	3	27
Here is also a shop near the Great Gate with Chambers over it[3] three storys high now occupied by a barber, two shops under the Gate opening into ffleet Street both book-			

[1] Kirby substitutes "In this Court was a barber's shop (now empty)."

[2] Kirby substitutes "In this Court formerly were six small shops or sheds erected "against the West end of the Hall (but they are now reduced to two, one of which is "a hosiers, and the other a barbers); also three shops (now one occupied by a barber) "facing the building N° 1 called Barbon Building."

[3] Kirby adds "occupied by a barber."

sellers,[1] and two shops on the East side the Lane, one a stationer the other a shoemaker.[2]

Elm Court	7	4	42	
Pump Court	8	6	45	

In Pump Court is also a shop occupied by a bookseller.[3]

South Churchyard	9			[15.]

Now called Lamb Building Court which includes the building over the Cloysters, the buildings adjoining to the South side of the Church and the building called Lamb Building (I suppose from the Lamb being painted in a pediment over the entrance into the staircase) 4 21

Of which Chambers there are two which are accounted only one chamber, but are both one and two pair of stairs high, there is also a shop under one of them occupied by a taylor; there are also under the Cloysters two shops[4] occupied by a barber.

Inner Temple Lane	10	1	7	[16.]
Church Yard Court	11	3	17	

In this Court is also a bookseller's shop under the stair case N° 1: and a cellar under N° 3: held of the House by lease.

N: B: In the stair case N° 3: on the South side of this Court, the Ground Chambers, Cellars and Soil belong to the Middle Temple, the one pair of Stairs Chambers and Garretts over them belong to the Inner Temple.

There are also two Shops the one under the Church Porch and the other close to the Lesser Church Door and adjoining to the Cloysters both occupied by stationers.

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[1] Kirby says "one a booksellers, the other a hatters."
[2] Kirby says "the other empty."
[3] Kirby says "late a booksellers, now a barbers."
[4] Kirby says "(now one)."

Hence it appears there are in all three hundred and ffive
[17.] Chambers and twenty two[1] shops besides that curious ffabrick the Hall, the Parliament Chamber, Library, Kitchin and Offices thereto appertaining.

N:B: That all the ffloors in N° 4: in Essex Court, the ground ffloor, ffirst and second ffloors N° 2: in the same Court, one pair of stairs ffloor in New Court, both Ground Chambers N° 4 in Elm Court, and the Ground ffloor N° 6: in Pump Court, are all consolidated and held (pro tempore) as one Chamber 'tho accounted above as two.

Two of the stair cases in Garden Court, (viz[t]) those two which stand on the West side thereof N° 3: and 4: and the Court called New Court were part of Essex Garden, sometime called the Outer Temple (as observed before), and were conveyed to the Middle Temple by Deed of Bargain and Sale dated the 16[th] May 1676.

There is also a small building on the North side of Brick Court,
[18.] between the buildings there and the Rose Tavern, which was also conveyed to the Middle Temple by Deed dated the 7[th] of May 1714.[2]

[The Master's House etc.][3] The House wherein the Master or Rector of the Temple Church resides belongeth in moieties to both the Houses,[4] and is supported and repaired at a joint charge, as is also the Church and Bridge, with this only difference, that the Middle Temple repair the North side of the Church and the Inner Temple the South side, and jointly repair the Organ, Reading Desk and Pulpit, Communion table and vestments, and again the Middle Temple repair the fflight of stairs on the West side the Bridge, together with the West side, and the Inner

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[1] Kirby substitutes "and (22) now 15 shops."

[2] This date should be 25th May 1714, see *ante*, p. 74.

[3] This and the other titles inserted in the margin are made headings to the paragraphs in Kirby's MS. but they do not appear in any of the other MSS. Kirby's MS. has also marginal notes to the subject matter of the principal paragraphs.

[4] In the Master's House there are the armchair and writing-table of Richard Hooker, and the portrait of Dr. Thomas Sherlock (see *post*, p. 197), which are the joint property of the two Societies.

Temple the same on the East side, and jointly repair the stairs facing the Gate and the Platform.[1]

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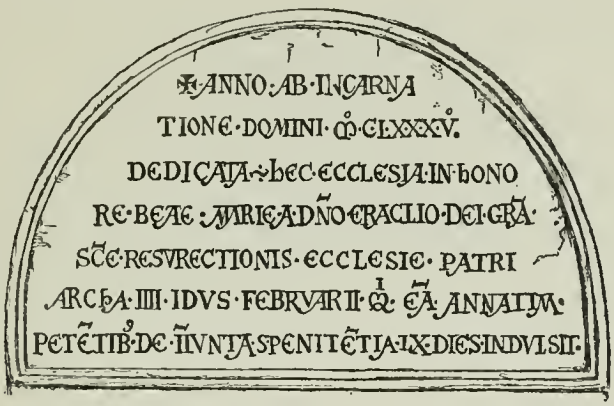
[1] For the foregoing paragraph Downing substitutes the following:

"The Church appertains in equall moieties to both Societies, and is supported, "repaired and beautified accordingly, the Middle Temple repair the North side, the "Inner temple the South side, and jointly repair the Organ, Reading desk, Pulpit, "Communion table, Plate and vestments.

"This Church is a plain but neat and beautiful Gothick structure, erected about "the year 1185, as appears by an antient inscription in stone, which stood over one "of the doors till being taken down in the year 1695, in order to repair that part of "the Church, it was by some accident broken in pieces. The inscription was in the "form and character following:


ANNO AB INCARNA
TIONE DOMINI M CLXXXV
DEDICATA hec ECCLESIA IN hONO
RE BEATE MARIE A DNO ERACLIO DEI GRA
SCE RESURRECTIONIS ECCLESIE PATRI
ARCHA IIII IDVS FEBRVARII Q EA ANNALIVM
PETENTIB DE IVNTA SPENITENTIA IX DIES INDVLSIT

"The Organ in this Church is accounted one of the best instruments of the kind "in the kingdom. It was made by the late M[r] Smith, and purchased from him by "the Societies Anno 1687 for one thousand pounds.

"The house wherein the Master or Rector of the Temple Church resides, situate "contiguous to the Nor-East angle of the Church, belongs in undivided moieties to "both Societies, and is supported and repaired at a joint charge."

Strype in Stow's "Survey of London," gives the above antique inscription, and says it was over the little door next to the Cloister, and although broken by the workmen in the year 1695, when the Round was restored at the expense of both Societies, it was "happily preserved and exactly transcribed by Mr. George Holmes." Downing probably obtained his information from the Strype edition of Stow (1720).

The Rev. H. G. Woods, Master of the Temple, in his interesting pamphlet, "The Temple," renders the above inscription as follows:

"On the 10th of February in the year from the Incarnation of our Lord 1185, "this Church was consecrated in honour of the Blessed Mary by the Lord Heraclius, "by the grace of God Patriarch of the Church of the Holy Resurrection, who to whose "yearly visiting it granted an Indulgence of sixty days off the penance enjoined "upon them."

The Round was consecrated A.D. 1185, but the later Church to the east of the

[The Hall.] The Hall or common dining place of this Society is a spacious, beautifull and stately room, and may vie with any of the like nature in
[19.] the kingdom. It is about ninety feet long, and fforty ffeet broad in the middle part; the wings on each side projecting about ffifteen feet more.[1] The Roof is a curiously fframed piece of work, where beauty and strength equally conjoyn to make the thing compleat. The Skreen, which parts the room from a passage at the east end thereof, is a very fine piece of antient carving. The Windows, being six on each side, are filled with the Arms of eminent men of this Society. And in the panells of the wainscot are the Arms of the Readers from the year 1598: to this time.

This Hall was begun to be built about the year 1564,[2] being the third year of the Treasurership of Edmund Plowden Esq[r], who had the whole direction and management of that work, even after the expiration of his Treasurership, as appears by an Order of Parliament 7[th] May 1567,[3] when Thomas Andrews Esq[r] was chosen Treasurer,
[20.] reserving to M[r] Plowden the continuance of the care and direction of the building the new Hall; which he finished with all its ornaments[4] in the Treasurership of Mathew Smith Esq[r], about the year 1571:

His Arms bearing Azure a ffess Dancette flory, Or, are in painted glass in the upper window on the South side, with this inscription in an ovall

Edmundus Plowden Thesaurarius
Medij Templi.

And below it in a square is this distick literally and in the same character as below.

Round was subsequently erected, and was consecrated Ascension Day 1240, in the presence of King Henry III.

[1] Downing adds "(as the annexed plan will shew)," but no plan is annexed. The length of the Hall, including the passage, is exactly 100 ft. The wings are 10 ft. wide from east to west.

[2] But see *ante*, p. 58. It would seem from Min. of Parl. 24th November 1562 (5 Eliz.), the building of the New Hall had then commenced.

[3] It should be 9th May 1567.

[4] Downing adds "except the painted glass."

Hoc perfecit opum⁹ legum
cultorib⁹ huius
Maxima cura viri sit honos
Hiis ōne per evum[1]

Over the North East wing, being over the entrance, in the year 1667: was erected a Tower to contain a Clock and a Bell, which is now standing[2]; the Clock cost 45^{ls} and is a very good piece of workmanship, the Bell cost 26^{ls}: 2^{s}: 6^{d}. [21.]

Whether there was a Clock there before[3] I know not; but imagine there was not, because I find no mention of such a thing.

This Hall in the year 1730: was new ffloored, and ffurnished with new tables and fforms, amounting in value to the sum of 561^{ls}: 5^{s}: 0^{d}.[4]

And in the year 1732: a new Cupulo, fac'd and cover'd with lead, was erected, different in form 'tho on the same basis with the former, together with a new Vane of copper, the lenghth of which from the point of the dart to the other end is 6: feet 2: inches. These together amounted to 220^{ls}.

The Entrance into this Hall is by six circular steps from the Court on the North side.

There is also belonging to this Society a Garden on the South side of the Hall adjoyning to the River, which was inclosed in the [22.] [The Garden.]

[1] Master Hopwood, in his edition of Downing's MS., says that it has been suggested the inscription should be read as follows:

Hoc perfecit opus legum
cultoribus hujus
Maxima cura viri: sit honos
Illi omne per ævum 1573.

Anglice: The very great care of this eminent man perfected this work for those who study and cherish the laws—To him be honor for all time.

The date 1573 is on the window, but omitted from MS. No. 1.

[2] For the words "which is now standing," Kirby substitutes "but it being "much decay'd, it was taken down in the year 1745 in the Treasuryship of ffrancis "Eld Esq^{re} and rebuilt in a more magnificent manner, and the entrance into the Hall 'made more spacious and elegant, and a new Dial was also there put up to the Clock."

[3] Kirby inserts "1667." In the "Extracts from Accounts," under date 8th May 1646, there is an item for "Keeping the Clock."

[4] See *ante*, p. 58, for other work done to the Hall.

year 1648: This 'tho small is pleasant, two rows of lime trees forming a verdant arch over the middle walk, on each side whereof is a square grass plott surrounded with borders of fflowers.[1]

[The Fountain.] In the Court on the North side, near the North West angle of the Hall, where formerly was the garden called the Benchers Garden, is a curious ffountain (twenty one feet diameter and four ffeet deep),[2] inclosed with iron palisadoes in a quadrangular fform, the length of whose sides are as follow, the South side 56: feet 3: inches, the North side 66: feet 3: inches, the East side 69: feet two inches, the West side 63: feet, which at some times, when the water is not drawn from it by cocks opening from the pipe which feeds it from the new river, throws the water near 30: feet high.[3]

[23.] This ffountain was first made in the Treasurership of William Whitlock esq[r], Anno 1681, the charges whereof I find as follow:

For digging the ffountain and levelling the ground	23[li] : 4[s] : 5[d]
Plumbers work	90 : 18 : 10
For turfing round the ffountain	7 : 8 : 10
Masons work, in which was included the pavement round it and, I presume, all the broad pavement in that Court, and a fflight of steps into Garden Court[4]	493 : 11 : 0
	£615 : 3 : 1

[1] Downing adds "and gravell walks"; and he gives the following further information:

"This Garden was formerly a void space of ground, till in the year 1648 the young "gentlemen of the Society desired leave to inclose it at their own expence, there being "then no garden belonging to this Society except a small one where the fountain now "stands, I suppose for distinction (after this was enclos'd) called the Benchers Garden.

"The North side of this garden in the year 1734, Charles Worsley Esq[r] being "Treasurer, was inclosed with iron palisadoes, a handsome neat substantiall piece of "workmanship, the expence whereof amounted to £177 : 4 : 3."

There used to be an old Catalpa tree in the garden, at the south-west corner of Plowden Buildings, said to have been planted by Sir Matthew Hale (*ob.* 1676). This tree had to be removed, and of the wood the handsome cabinet which stands in the Benchers' Corridor was made by Messrs. Collinson and Lock in 1878.

[2] Downing adds "surrounded by a marble kirb."

[3] There is a footnote on this page in a different handwriting and partly illegible giving the whole contents as 4,026 feet.

[4] Downing gives the following further information:

In this House is also a handsome Library, furnished with many thousand volumes, in all sciences and languages, 'tho the room is rather too small commodiously to contain all the books therein. [The Library.]

The Library was first given to this Society by the last will of Robert Ashley Esq^{r}, bearing date 27th Sept^{r} 1641,[1] together with 300^{ls}, that by the interest thereof some able student, being chosen by the Bench to be the Governour or Keeper of the said Library, might be the better maintained; to whose further commodity he left also all his ffurniture—which will was ordered, 28th January 1641, to be entred in the Parliament Book, In perpetuam Rei Hominis et Gratitudinis Memoriam.[2] [24.]

This Library is under the care of a Library Keeper, of whom more hereafter when I come to speak of the Officers of the House.

"Bricklayer for parapet wall 15 : 12 : 6
"Carpenter for rails for inclosure 127 : 11 : 6

"But in the year 1715, Nich: Lechmere Esq^{r} (afterwards Lord Lechmere) being "Treasurer, the wooden palisadoes were removed, and iron put in their stead, amount-"ing to 160 : 6 : 3.

"At the South end of the Middle Temple Lane are common stairs for taking "water, tho only by permission of the Society, there being a Gate thereto, lock'd up "by the Porter of the Middle Temple every night at ten of the clock in Summer and "nine in Winter.

"In what form or condition these stairs were originally I know not. But in the "year 1583 Queen Elizabeth (who it is said used often to honour the Middle Temple "Hall with her royall presence) built the bridge (it is to be supposed) in the same "form in which it now stands, at her own expence, and the two Societies obliged "themselves by a decree of the Court of Exchequer to support and repair the same "for ever.

"And by the late deed of Partition, Anno 1732, it was agreed between the two "Societies that the said bridge, platform and front steps should be repaired jointly, "the steps on the West side by the Middle Temple, and those on the East side by the "Inner Temple."

See further as to the Old Temple Bridge, *ante*, p. 82.

[1] Downing adds "to be a publick Library from which he desired no student "might be excluded whether of our own or any foreign nation."

[2] Downing omits reference to the entry in the Parliament Book, and adds the following paragraph.

"Severall benefactions from time to time have made considerable additions to "this Library, insomuch that the present room is too small to contain the books already "therein, much more so to receive any other benefactions."

[New Inn.] Amongst the possessions of this Society may also be reckoned New Inn, which is not only under the direction of (but is also absolutely vested in trustees for) the Society of the Middle Temple; tho' they receive no other benefit therefrom than an annual rent of ffour pounds.

As the title of the Middle Temple to this Society hath been doubted, or alledged to be only in trust for the Ancients and Members of New Inn, it may not be improper to make the following brief observation.[1]

New Inn hath for many years been an Inn of Chancery, under the visitation and direction of the Middle Temple.

[25.] Their House they held (no doubt) by lease, or as tenants at will, under the proprietors of the ground whereon their Chambers are built, as seems to appear by a Deed of Settlement made the twelfth day of December 3^{d} Elizth, wherein one Edmund Smith, being

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[1] Downing gives the following account, in substitution for the next two paragraphs in MS. No. 1:

"This house having formerly been an Inn for travellers Sir William Dugdale tells "us was procur'd of Sir John Fineux (some time Lord Chief Justice of the King's "Bench) for six pounds per ann. rent, for the reception of certain students of the Law, "who removed from an old Inn of Chancery called St. George's Inn, and gave this "denomination of New Inn. He mentions not the time of such translation, but Stow "says it was in the reign of Edward the 4th, consequently before Sir Jn^{o} Fineux was "Chief Justice, he not being constituted such till the 11th of Hen. 7th.

"This Society (it is most likely) was under the visitation and direction of the "Middle Temple both before and after their removal from S^{t} George's Inn; all Inns of "Chancery being under some or other of the Inns of Court.

"Their house they had undoubtedly by lease, or as tenants at will, first under Sir "John Fineux, and afterwards under those to whom by descent or purchase the "inheritance legally came.

"Edmund Smith, being seiz'd thereof, did by deed dated 12 Dec^{r} 3^{d} Eliz: settle "the same to the use of himself for life, and afterwards to his son John Smith in tayl, "with severall remainders," etc.

"After the death of the said Edmund, some disputes arising between the said "John Smith, son and heir of the said Edmund, and the sisters of the said John "(whether for non-payment of the sister's fortunes or on what other account I have "not been able to learn), a bill was prefer'd in the Court of Chancery against the said "John, and an Order of that Court obtained for stoppage of the payment of the rent "of New Inn.

"Hereupon the said John Smith, either obliged by necessity or led by inclination "to dispose thereof, agreed with the Middle Temple for the purchase thereof, and "accordingly by feoffment bearing date 9 Feb: 6 Jac." etc., as in MS. No. 1.

seized of the said New Inn, settles it to the use of himselfe for life, and after to his son John Smith in tail, with several remainders, etc.

What rent they paid to Edmund Smith, or his predecessors, I no where find, but after the death of this Edmund, viz^{t}, 9th Feb^{ry} 6th Jac: 1, the said John Smith, son of the said Edmund, by ffeoffment, ffine and recovery, in consideration of two hundred marks,[1] paid out of the Treasury of the Middle Temple, conveys the said New Inn to several Benchers of the Middle Temple their heirs and assigns for ever in trust for the said Society of the Middle Temple.

And further to ascertain the inheritance of the said New Inn to [26.] the Society of the Middle Temple, Lucy Smith and Margaret Smith, daughters of the said Edmund, after the death of their brother John Smith, viz^{t}, 24th October 9th Jac: by ffeoffment and ffine, in consideration of ninety pounds[2] to them paid out of the Treasury of the Middle Temple, convey the said New Inn to trustees in trust for the uses aforesaid, since which time the Society of New Inn have always paid to the Society of the Middle Temple the yearly rent or acknowledgement of ffour pounds.[3]

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[1] In margin of MS. "£133. 6. 8" inserted in different handwriting.

[2] In margin "

£		
90		
133	6	8
223	6	8

and there is a footnote "from 7 Jac. 1608 } to 1740. 138 yearly."

[3] Downing here inserts the following paragraph:

"This Society very much improving, and the Middle Temple taking no advantage "of those improvements, but indulging the Society of New Inn in the enjoyment of all "meliorations from time to time for the encouragement of the said Society of New Inn, "hath induc'd some of the members of New Inn (not considering the return in gratitude "due to so great indulgence) to imagine and pretend that the inheritance was vested "in the Middle Temple in trust for that Society, on which account a Suit is now "depending in the Court of Chancery, but it is hoped will soon be determined by "persuing the method recommended by his Honor the Master of the Rolls (viz.) That "the Society of New Inn shall acknowledge both the legall and equitable estate to be "vested in the Society of the Middle Temple; that the Middle Temple shall grant "them a lease for a hundred years at a varied rent with a covenant to renew for a "hundred years more, paying some reasonable fine, or again varying the rent; and that "this be confirmed by a decree of the Court of Chancery."

Master Hopwood adds a footnote to his edition of Downing's MS. that the course adopted was a lease dated 25th October 1745 for three hundred years, at a yearly rent of £4. New Inn was in the year 1902 purchased by the London County Council under the London County Council (Improvements) Act, 1899.

[Scales Inn.] There is also vested in the Benchers of this Society a parcell of ground and the buildings thereon[1] lying in Maiden lane in the Parish of St. Michael Royal, formerly called Scales Inn (probably because it was sometime the Mansion house of the Lord Scales) in trust to secure forty pounds per annum to be paid to two Referees, of which I shall take some notice at the end of these remarks.[2]

[27.] OF THE GOVERNMENT.

The Government of this Society is lodged in a select number of the senior members duly called thereto who are stiled Benchers.

The method of calling Barristers to the Bench is according to their standing in the House, subject to the approbation of the Benchers in Parliament.

There is an Order made the 27th October 1682: that every gentleman who shall be called to the Bench shall be ffifteen years standing at the Barr, but this Order is subject to be dispenced with, as it was in the case of one of the present Benchers, who was called to the Barr only to qualifie him to be called to the Bench.

[28.] Those who are appointed the King's Attorney or Sollicitor General or King's Councill claim the Degree of the Bench as appurtenant to the dignity confer'd on them by the King, 'tho it hath been sometimes disputed to the King's Councill.

As many of these Benchers as are in town, or conveniently can, assemble themselves the first and last ffriday in every Term, which assembling to the number of seven or upwards is called a Parliament,[3]

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[1] Downing adds "which before the fire of London, Anno 1666, was situate in "Maiden Lane in the Parish of S[t] Michael Royall in the Ward of Vintry."

[2] Downing adds "But since the said fire some part of the ground was taken to "make a new street called Queen Street, and the range of the streets so far altered "that the remaining part is now seperated from Mayden Lane, three houses being "situate on one side of Queen Street and three on the other, and a Sugar house on "each side between them and Mayden Lane."

Scales Inn was purchased in about the year 1850 by the Corporation of London under the Acts for widening and improving Cannon Street, and for making a new street from the west end of Cannon Street to Queen Street, and for widening and improving Queen Street, 10 and 11 Vict. cap. cclxxx and 13 and 14 Vict. cap. clvi.

[3] Downing adds "(where the Treasurer if he can possibly be there always pre-"sides)." He also substitutes for "the first and last ffriday in every Term" the words

at which times all affairs of the House are discussed, and all necessary Orders made for the good government of the Society.

These Assemblies or Parliaments are held in the most grave and solemn manner, regulated by the most wholesome Rules and Orders for establishing a liberty of debate therein, and for preventing and removing all occasion or opportunity of confusion or contention; as 19th April 1616:—

It is ordered that all matters in Parliament shall be proposed by the Treasurer only, and that whoever hath once spoken on any [29.] one subject shall make no replication till all have spoken that will; and[1] 23d Novr 1615:[2] It is ordered that if anything spoke in Parliament is divulged of by a Master he shall lose his voice in Parliament; and if by Under:Treasurer he shall be expulsed, except such things as are declared to the Barristers when they come into Parliament; and many other Orders of like nature.

Whatever Orders are here made are carefully entred in a Book for that purpose; and that all the Masters may be certifyed of the truth of such entry etc. It is ordered 27th June 1617 that the Orders made in every Parliament shall be read the first thing that is done in the next Parliament.

And 26th November 1641: It is ordered that the Orders made in every Parliament be drawn up by the Under Treasurer, and

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"at certain appointed times in term"; and he inserts the two following additional paragraphs:

"These Parliaments before the year 1604 seem only to have been held once in "every term, and that on the last fryday, because on the 18th of May in that year it is "ordered that from thenceforth there shall be in every term two Parliaments in this "house, the first to be the first fryday in every term, except the term begins on a "fryday and then the fryday after, the other Parliament to be the usuall and accus- "tomed days.

"But now the Parliaments are held the first and last frydays in every term indis- "criminately."

On the 14th January 1853 it was ordered that a Parliament be held every Friday during Term.

Since the 3rd February 1777 five Masters of the Bench are sufficient to constitute a Parliament, but by Order dated 6th May 1853, for the purposes of calling to the Bar only, two Masters are sufficient to constitute a Parliament.

[1] Downing adds "and for the greater liberty of debate."

[2] This should be 24 Nov. 1615 (13 Jac. I), see Mins. of Parl.

by him shewn to the Treasurer, and presented to the Masters at the next Parliament.

[30.] These Orders thus made and entred become Standing Rules inviolably to be observed within the Society.

'Tho the sole power of making Laws and Orders binding on the Society is lodged in the Masters of the Bench, yet they have often had the assistance of the Judges (sometimes attended with the Royal Mandate) to compose such Rules and Orders as might be necessary to be observed by the Houses of Court, which when sent to this Society have been confirmed by the Masters of the Bench in Parliament; some of which I have here transcribed, but as some of them may have been occasionall, and others may now seem obsolete, I shall briefly relate the subject of such Articles.

The 25th of June 1557: the judges sent Orders to the four Houses, consisting of seven Articles as follow.

1st. Against gaiety of apparell.

2^{d}. That no Attorney shall be admitted.

[31.] And in all Admissions from henceforth this condition shall be implyed, that he that is admitted and shall practice Attorneyship that then (ipso facto) he be dismissed, and have liberty to return to the Inn of Chancery from whence he came, or to any other, if he were of none before.

3^{d}. That Students should not wear their Gowns into the City, &c.

4th: That none of the Company when they be in Commons shall wear a Spanish Cloak, Sword and Buckler, or Rapier, on pain of 3^{s} 4^{d} for the first default, and for the second expulsion.

5th. That care be taken the Moot Cases in every of the Houses of Court for the Vacation time do not contain above two points argumentable; and that the same Cases be brought in Pleadings and the puisney of the Bench to recite the whole Pleading according to the ancient order; and that none shall argue above two points.

[32.] 6th. None to wear Beards under the degree of a Knight etc.

7th. To limit the Readers ffeast.

In Easter Term 16th Elizth Anno 1574 the following Orders were sent to the four Houses intitled:

Orders necessary for the Government of the Inns of Court established by command of the Queen's Majesty with the advice of Her Privy Councell and the Justices of Her Bench and the Common Pleas Westminster.

1: That no more in number be admitted from henceforth than the Chambers in the House will receive, after two in a Chamber; nor that any more Chambers shall be builded to encrease the number, saving that in the Middle Temple they may convert their Old Hall into Chambers not exceeding the number of ten Chambers.

2: If any hereafter admitted in Court practice as an Attorney [33.] or Sollicitor they to be dismissed and expell'd out of their Houses thereupon, except the persons that shall be Sollicitors shall also use the Exercise of Learning and Mooting in the House, and so be allowed by the Bench.

3: None to be suffered to have any Chamber or to be in Commons who doth not attend the Common Prayer etc.

4: None hereafter admitted shall enjoy any Chamber, or be in Commons, unless he doth Exercise Moots and other Exercises for Learning within three years after his admission, and be allowed a Student or Inner Barrister by the Bench.

5: None to be Called to the Barr but by the Ordinary Councill of the House in their General Ordinary Councills in the Term time.

6: None to be Utter Barristers as aforesaid to continue Utter Barrister unless he do by the space of three years after Exercise [34.] Ordinary Mootings and other Ordinary Exercises of Learning both in Court and Chancery as the Bench shall allow.

7: None to be admitted to plead at any of the Courts at Westminster, or to subscribe any Action, Bill or Plea, unless he be a Reader or Bencher, in Court, or five years an Utter Barrister, and continuing

that time in Exercise of Learning, or a Reader in Chancery two years at the least, and shall be at Church Prayer as aforesaid.

8: None to plead before the Justices of Assize except he be allowed for a pleader at the Courts in Westminster or shall be allowed by the Justices of Assize to plead before them.

9: Relates to the Reformation.

10: Relates to regulation of apparel and referrs to a proclamation for that purpose to be issued.

But 28th May 1584: there came further Orders from the Judges, which tended only to restrain gaiety and excess in apparell, therefore have omitted them here.

[35.] The following Orders were sent from the Judges 7th November 1614: which, for that the reason of each Order precedes the Order itselfe, I have copyed verbatim.

1: For that there may be great abuses in the lodging or harbouring of ill subjects or dangerous persons in the Inns of Court and Chancery, being priviledged and exempted places, it is therefore ordered that there be general searches in every House of Court and Chancery twice every Michaelmas Term, and once every other Term, to be agreed upon by the general consent of the Readers and Benchers of the Houses of Court, and likewise once every Vacation.

2: For that the Societies ought to give a principall example of good government in matters of religion, and to be free not only from the crime but also from the suspicion of ill affection in that kind, it is ordered that every gentleman of the several Societies aforesaid, who shall be in Commons any time after the publishing of these
[36.] Orders, and shall not receive the Communion yearly by the space of any one year together, he shall be expelled ipso facto, and nevertheless the further Orders of every particular House in that behalf to stand in force.

3: For that the institution of these Societies was ordained chiefly for the profession of the law, and in the second degree for the educa-

tion of the sons and youth of riper years of the nobility and gentry of this kingdom, and in no sort for the lodging or abode of the gentlemen of the country, which if it should be suffered were to disparage the said Societies and to turn them from Hospitia to Diversoria, it is ordered that no Knight or Gentlemen fforeigners or Discontinuers shall be admitted or allowed to lodge in any of the Societies aforesaid, or be in Commons, except he be an allowed Utter Barrister.

4: For that there always ought to be prefered a difference between a Councellor at Law (which is the principal person next unto Serjeants and Judges in administration of justice) and Attorneys and Sollicitors, which are but ministerial persons of an inferior nature, therefore it is ordered that from henceforth no common Attorney or Sollicitor shall be admitted of the four Houses of Court. [37.]

5: For that the great multitude in any vocation or profession doth but bring the same to contempt, and that an excessive number of lawyers may have a farther inconvenience in respect of multiplying needless suits, it is therefore ordered that there shall not be called to the Barr in any one year by Readers or Benchers in any one Society above the number of eight, or according to that proportion, being of Continuance and having done the Exercises according to the Orders of the several Houses.

6: For that the over early and hasty practice of Utter Barristers doth make them less grounded and insufficient, whereby the law may be disgraced and the client prejudiced, therefore it is ordered that for the time to come no Utter Barrister begin to practice publickly at any Barr at Westminster 'till he hath been three years at the Barr, except such Utter Barrister hath been Reader in some House of Chancery. [38.]

7: For that the maintaining the Readings in the Inns of Court and Chancery in their due extension is a principall means to breed and increase learning, it is ordered that no single Reader in any House of Court shall give over his Reading before Wednesday in the third week, and that the Readers in every House of Chancery shall read in person and not by deputy, both in Term and Vacation, except the deputation be by the Bench the Term before.

8: For that the disorders in the Christmas time may both infect the minds and prejudice the estates and ffortunes of the young
[39.] gentlemen in the same societies, it is therefore ordered that there shall be Commons of the House kept in every House of Court during the Christmas, and that none shall play in the severall Halls at the dice, except he be a gentleman of the same Society and in Commons, and the benefit of the boxes to go to the Butlers of the Houses respectively.

9: For that an outward decency of apparell is an ornament to all societies and containeth young men within the bounds of civility and order, it is ordered that no gentleman of any House of Court or Chancery shall come into the several Halls with Cloaks, Boots, Spurs, Swords, or Daggers.

10: Lastly, for that all government is strengthened or slacked by the reverence and respect which is to be used towards the governors of the same, therefore it is required that due reverence and respect be had by the younger sort of gentlemen to the Readers, Benchers, and Ancients of every House.[1]

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[1] Downing here introduces the following, and see "Middle Temple Records," p. 986.

"In Hilary Term 1627 the following orders subscribed by all the Judges were "sent to the houses of Court.

"That the Lent Reader shall begin his Reading the first Wednesday in Lent, "unless it fall in term, and in such case it shall begin at such day after as hath been "used in the severall houses; and every Summer Reader shall begin the first "Wednesday in August. The double Readers shall continue their reading by the "space of one whole week at least, and a single Reader shall continue for the space of "a fortnight at the least, and in that time to read as often as hath been used in the "severall houses.

"No Reader shall have above the number of ten men to attend him during his "reading, and every Reader the Sunday before the beginning of his reading shall repair "to the Sermon at Pauls Cross, and whilst he is there shall wear his cap in such "decent and orderly manner as anciently hath been used.

"That no Reader shall give exceedings through the Hall above twice in the week, "and that at dinner only.

"That every Reader shall make and put in his reading so many cases as hath been "most commonly used in the same house when he readeth, and not fewer.

"That no Reader in Court shall practice at the Barr at Westminster but with his "readers gown with the velvet welt on the back, and that none but Readers in Court "shall at all wear or use any such gown.

"That all Readers, Benchers, Baristers, and other students and fellows in every

From these and others to the same or the like effect will appear [40.] the great care the Judges always had of the welfare of the Societies of Law, looking upon them, as in the third preceding Article, not only as seminaries of law learning, but as places designed for the education of the sons of the nobility and gentry, where they may

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"house of Court or Chancery shall repair to the Hall at dinner, supper, and ex- "ercises, in their caps, and not in hats, and shall likewise repair to the Church, "Chappell, and place of prayer, in their caps.

"That no fellows or students in any house of Court or Chancery shall come into "the Hall, Church or Chappel or place of prayer with boots, but orderly and "civilly, as antiently hath been used, upon pain that such as willfully and contemp- "tuously break these two last orders, or either of them, for the first time shall be "put out of Commons untill he be restor'd upon suit to the Bench, and for the second "time fined at the pleasure of the Bench, and the third time shall be expuls'd the house.

"And such Reader as shall contemptuously break any of the orders aforesaid "shall not be suffered to practice at any Bar at Westminster or at the assizes.

"In the year 1630 other orders were sent to the severall houses of Court, "containing thirteen articles, most of which were verbatim the same with those sent "anno 1614, what additions were in these last will appear as followeth." [See "Middle Temple Records," p. 987.]

"Orders made and set down the 15th day of April in the Sixth year of the Reign "of our Sovereign Lord Charles by the Grace of God King of England, Scotland, "ffrance, and Ireland, defender of the faith &c. and in the year of our Lord 1630, by "the Right Hon^ble^ the Lord Keeper of the Great Seal of England, and all the Judges "of both Benches and the Barons of the Exchequer, by command of the King's "Majesty, signify'd by the Lords of his Majestys most hon^ble^ Privy Council for the "Government of the Inns of Court and Chancery.

"1. That the Inns of Chancery shall hold their government subordinate to the "Benchers of the Inns of Court unto which they belong, and in case any attorney, "clerk, or officer of any Court of Justice, being of any of the Inns of Chancery shall "withstand the direction given by the Benchers of Court, upon complaint thereof "to the Judges of the Court in which he shall serve, he shall be severely punished, "either by forejudging from the Court or otherwise, as the case shall deserve.

"2. That the Benchers of every Inn of Court cause the Inns of Chancery to be "survey'd that there may be a competent number of chambers for students, and that "once a year an exact survey be taken that the chambers allotted for that purpose be "accordingly imploy'd.

"3. The same verbatim with the first Article, page 53. [Worsley, p. 35.]

"4. The same with Article the 2^d^, page 53.

"5. The same with Article 3^d^, page 54. [Worsley, p. 36.]

"6. The same with Article the 4^th^, page 54.

"7. The same with Article the 6^th^, page 55. [Worsley, p. 37.]

"8. That none be admitted to the Barr but only such as be at the least of eight "years continuance, and hath kept his exercises within the house and abroad in the "Inns of Chancery according to the orders of the house, and none to be Called to the

have the opportunity to improve their knowledge in such a degree as may fitly qualify them to serve their King and Country; and it is to be observed that many, if not most, of the eminent lay statesmen for many ages have been members of some of the Houses of Law; nor is the same notion yet wholy eradicated out of the minds of our gentry, many of them not thinking their sons duly educated till they have passed some time in some Society of Law; tho they never design to practice it; as seems to be evident from the many who commence
[41.] Students, and never are, and probably never designed, to be Called to the Barr; and many others who take upon them the degree of an Utter Barrister without any design to practice the law.

'Tho the before mentioned Orders were at different times sent from the Judges, it doth not seem that they came by way of injunction; but recommendation, such as the Judges thought would be proper rules to be established, if the Masters of the Bench had no objection thereto,[1] but would concur with them therein.

"Barr by Readers but by the Bench at Parliament Councell or Pention, and that when "they shall, the number of fit and learned students of honest conversation and well "deserving the same.

"9. That the Readers hereafter be chosen for their learning, for the duly keeping the "Exercises of their house, for their honest behaviour and good disposition, and such as "for their experience and practice be of best note and best able to serve the Common "wealth, and if any refuse to read then they to undergo such fine and censure as the "Benchers and Readers shall think fit to lay upon them, which if they shall refuse to "pay or perform, then, upon complaint to the Judges, such course to be taken by them "as shall inforce them to the performance thereof.

"10. That double readings be strictly observ'd in every house at least once in two "years in the Lent, and if any be appointed double Reader and shall refuse to perform "the same, he shall be fined, which fine shall not be under the sum of forty pounds, "and it shall be allowed to the next double Reader of the same house.

"11. That no Benchers be called but such as be fittest both for their learning and "practice and good and honest conversation, and that they call not to the Bench too "often, but very sparingly, in respect of the great multitude that be already.

"12. The same with Article 9th, page 57 [Worsley, p. 39], with some little addition viz[t]

"That no gentleman shall come into the Hall with hats, cloaks, boots, spurs, "swords, or daggers, or shall wear long hair upon pain to undergo the penalties con- "tained in the Orders of the severall houses, which are strictly to be put in "execution.

"13. The same with Article the 10th, page 57." [Worsley, p. 39.]

[1] Downing omits the next six words, and adds "because had they come as abso- "lute rules they would have been entered as such in the body of the Orders of the next

As in the Masters of the Bench is lodged the sole power of making laws, so also in them, either immediately by themselves or by their Treasurer or his subordinate, is the power of executing those laws, consequently the sole authority of governing within this Society.

This authority I no where ('till of late years) find disputed, or any power equal thereto pretended. [42.]

The first attempt of this nature was in Michaelmas Vacation 1630,[1] when some presumptuous persons would continue themselves in Commons, contrary to the Orders of the Bench and in open defiance thereof, pretending a right so to do. But the principal movers thereto, viz^t^. Mr. Deyer, Mr. Oglander, Mr. Turner, and Mr. Lisle were by Order of the next ensuing Parliament 28th January 1630: ffined ffive pounds each and put out of Commons. But they refusing to pay their ffines, and insisting that they should be taken off, and insulting the Masters when refused it, were (on complaint of the Masters) convened before the then Lord Chief Justice; and two of them viz^t^. Mr. Deyer and Mr. Oglander by him committed to the Kings Bench Prison.

But as the nature of the thing was so consonant with that of the late pretended Vacation Parliament, and the consequence thereof so plain a confutation of their pretended right, I have here transcribed the Order verbatim, wherein the nature of the offence and their Masterships proceeding is fully set forth.[2] [43.]

"Parliament ensuing their mission, which some of them indeed are, but others "are not."

He then introduces here the title "Orders to Establish Unity, etc.," instead of later, as in the other MSS., see *post*, p. 158.

[1] See Records, p. 771, under Min. of Parl. 28 Jan. 1630.

[2] Downing substitutes for this paragraph the following more ample statement relating to the Declaration of 1731, before setting forth the Order made by the Masters of the Bench in 1630, as above.

"But as the nature of the thing was so consonant with that of the Vacation Parlia- "ment, Hilary 1730, who claimed a right to command the Hall and the attendances of "the Officers after Commons were over, and of the other Vacation Parliament, Hilary "1731, who vindicated the proceedings of the former in an extraordinary declaration "entered in the Buttery book, with this difference, that the outrages of the first were "e lingua only, but that of the last committed to writing, and as the result of the first is "so plain a confutation of the pretended right of the two last, I have here transcrib'd that "remarkable declaration of 1731, and also the whole Order relating to the affair 1630,

Whereas divers gentlemen in Commons in the end of Michaelmas Term last did take upon them the continuance of the Commons of the House, directly contrary to the Order of the Bench made in Parliament for discontinuance of the same, and the better to counten-

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"whereby will appear the consonance of the offence of each and how much that "declaration is opposite to and a violation of the Rules and Orders of this Society.

"The Declaration of the Baristers and Students assembled in Vacation Parliament "concerning their rights of continuing their Parliament after Vacation Commons and "even to the end of the Vacation if they think proper.

"Whereas 'tis the undoubted and just right of Barristers and Students in Vacation "Parliament assembled to continue themselves in Parliament even to the end of the "Vacation if they think fit, as well after the expiration of the Commons as during the "same And Whereas a Parliament held in February 1730 did continue after Vacation "Commons were ended, and then did make a representation of their greivances, which "was in a proper manner offer'd to the Masters of the Bench assembled in their Parlia-"ment the term following Notwithstanding which their Masterships have not been "pleased to redress any of the grievances complained of in the said representation, but "on the contrary made an entry of a declaration in the Journall book of their Parlia-"ment dated June 18th 1731, setting forth that the said representation being made after "the expiration of the Vacation Commons by a Parliament which made a pretended "claim to that right, and also to the authority of commanding the use of the Hall, and "the attendance of the Officers and Servants, they had by notice in writing fix'd upon "the Skreen of the Hall summoned the Baristers and Students to attend the first fryday of the ensuing term to justify such pretended right and authority, but that no persons "appearing in pursuance of that notice, they unanimously declared that the said pre-"tended right and authority are unprecedented, and not only contrary to the usuage and "custom of the Society, but tending to the disturbance of the peace and good govern-"ment of the same, and that the said representation is irregular, and that therefore the "same should be rejected And Whereas no person of this Society in their private "capacity had any sufficient authority to appear in pursuance of the said notice afores'd "to maintain and support such rights, since Parliamentary rights are only to be vindicated 'by Parliaments.

"We therefore the Barristers and Students now assembled in Vacation Parliament do unanimously declare that the right and authority claimed by the last Parliament of "continuing themselves after the expiration of the Commons even to the end of the "Vacation if they should think proper, and of commanding the use of the Hall, and the "attendance of the Officers and Servants, is our indisputable right and authority, not "contradicted by any precedents, no ways contrary to the usuage and custom of this "Society, nor tending to the disturbance of the peace and good government of the same, "and that the same representation is regular, and therefore the same ought not to have "been rejected, and we do hereby assert and maintain that the said right and authority "may be well supported by the reasons following

"That tho' by the Constitution of this Society the order and government of the "same is lodged in the Masters of the Bench, yet a liberty of proposing such occasionall "alterations and amendments as the circumstances of times and things might render

ance and strengthen them therein, did assemble themselves under the title of a Parliament or Parliamentary Meeting, and then agreed upon and made an Order to that purpose, and entred the same into a Book which they called their Parliament Book, and the keeper

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"necessary is and must be reserv'd to the other part of the Society in Parliament "assembled. From hence arises the necessity and use of Vacation Parliaments as held "by the Barristers and Students, which we apprehend can never be restrained to any "particular limited time, but may be held as often and as long as the necessity of things "shall require.

"That Vacation Commons were introduced only for the ease and convenience of the "Readers, Barristers, and Students performing Vacation Exercises, which exercise, when "continued for the whole Vacation, Commons were accordingly kept during the whole "Vacation, but when confined to a lesser time Commons where likewise limited.

"That the Vacation Exercises and the Commons in consequence thereof have been "very much shortened, but no argument can be drawn thence against the unlimited "continuance of Parliaments, for tho stated times for the performance of exercises are "necessary, yet the sitting of Parliaments must be as generall as the occasions of their "meeting.

"That Parliaments and Commons being instituted for different ends, and therefore "independent of each other, the discontinuance of the one cannot imply the dissolution "of the other.

"That if the complaints, proper for such a Parliament to make, did relate only to "the Vacation Commons and the government of the Servants during that time, it would "then be easy to perceive the connection of Vacation Parliaments and Vacation Com-"mons, but if it may be not only proper, but extreamly necessary for such a Parliament "to represent the ill state of a Library, a monopoly of Chambers, an intrusion of "strangers, besides a multitude of other evils. It will be hard to see either what con-"nexion there is between these topicks and Vacation Commons, or that these mischiefs "would not want their proper remedys even tho it should happen there were no "Vacation Commons at all.

"That as the power of convening our selves is our sole and unquestionable right, "it follows necessarily we alone must have the power of dissolving. Nor can the Masters "of the Bench, who are neither capable of giving a being to our Parliament nor are any "part of it, interpose or controal it by any collaterall act of theirs.

"That this right of our Parliaments dissolving it's self by its own act is so essential "and inherent that the very supposition of a different power being able to dissolve it "carrys with it an implication of a power to destroy the end, design, and very being of "our Parliament. For could the Benchers, upon any private application made to them "to discontinue the Commons, thereby effect the dissolution of the Parliament, then "they might at any time suddenly frustrate the laudable intentions of the Barristers and "Students assembled, tho 'tis with difficulty we suppose such a thing possible, and so "render the share we have in the regulation of this Society merely chimericall and "useless.

"That as to precedents, we must observe that till the year 1699 the Vacation "Exercises, and in consequence Vacation Commons, were continued throughout the

thereof the Clerk of their Parliament, by which Order also they fined the Steward fforty shillings to be cast into Commons that week and
[44.] awarded him to the Tower for an hour, and did presently put him by strong hand into stocks which they called their Tower, for refusing to provide them Commons accordingly: All which matters the Masters of the Bench this present Term taking notice of, as contrary to the practice and president of fformer times, and tending directly to subvert the fform of government of the House established, and minding to punish the same exemplarily in the authors thereof as they should be discovered, who for the present hid themselves as involved in the multitude, they, notwithstanding, by Order ffined M^r^. Deyer, M^r^. Lisle and M^r^. Oglander (whom they found by proof most forward to speak in maintenance of the attempt under pretence of Christmas liberty) each of them five pounds apiece, and also put them out of Commons, and yet to pay Commons, untill they
[45.] should attend and submit themselves to the Masters of the Bench according to the Orders of the House And Whereas they hereupon,

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"whole Vacation, since which time they have been gradually reduced to their present "duration, and therefore 'tis evident that before that time such a right could not possibly "come in question, and since then no precedents can be produc'd against it, but on the "contrary succeeding Parliaments have claimed and asserted that right of continuing "themselves after Vacation Commons, and accordingly proceeded in the business of "their enquiry.

"That for these and many other reasons We the Barristers and Students assembled "in Vacation Parliament do unanimously declare that the power of continuing our "Parliament during the whole Vacation, after the expiration of Vacation Commons, "and in consequence thereof the use of the Hall, and of the due attendance of the "Officers and Servants of this Society, is our undoubted right, and that the maintain-"ing and asserting of the said right, either by representation or remonstrance to the "Masters of the Bench, or by any resolution or declaration of Parliament, no way "tends to [disturb *] the tranquility or the good order of this Society, and that all "resolutions by their Masterships to the contrary are high violations of the Privileges of "Parliament.

"And we do lastly declare that in every respect we do submit to the rules and "government of this Society, and are resolv'd to maintain the peace and tranquility "thereof, and promote its interest, and that we will always endeavour to keep up a "perfect harmony with the Masters of the Bench, and pay all due and decent respect "to their separate rights and privileges, but necessarily compelled to enter into this "declaration for the benefit of posterity, and in vindication of the honour of the regular "proceedings of the last Parliament."

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* Word omitted in MS.

instead of submitting themselves, congregating most of the young gentlemen then in Commons, did come up all together the supper following to the Bench Table, and demanded a present repeal of the said Order, and being fairly intreated by the Masters of the Bench went down to their places, but shortly after about the end of supper in like manner they came up again, telling the Bench they had given them time to consider, and with many insolent speeches, did peremptorily press to have the said Order to be repealed, which being denyed them by the Bench, they hasted down tumultuously, and calling for pots, they threw them at random towards the Bench Table, and therewith stroke divers of the Masters of the Bench, as they were walking, being risen from the Board. Of which notorious outrage, the like whereof had not formerly been known in any other Inn of Court, the Masters of the Bench complained to the Lord Chief Justice, who conventing Mr. Deyer Mr. Lisle[1] Mr. Oglander[2] and Mr. Turner[3] (the most forward in that disorder) before him, assisting himselfe with Mr. Justice Whitlock and Mr. Justice Hervey, with their assent he comitted two of them, Mr. Deyer and Mr. Oglander to the Kings Bench Prison, and the other two, Mr. Lisle and Mr. Turner, he bound to the good behaviour; the Masters of the Bench standing resolved also nevertheless to make and execute their own orders against them, and other delinquents with them, by expulsion, or otherwise, according to the nature and exorbitancy of their offences, and the exigency thereof for the maintenance of government. Notwithstanding, because that the Lord Chief Justice and the said other Judges have earnestly mov'd the Masters of the Bench in behalfe of the gentlemen to be pacifyed towards them, and for their sakes not to proceed further to punish for the offences, though they were exceeding heinous and transcendant, and ffor as much as Mr. Deyer, Mr. Lisle, Mr. Oglander and Mr. Turner at this Parliament have exhibited a [46.] [47.]

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[1] John Lisle, the regicide, called to the Bar at the Middle Temple 1633, and became a Bencher 1649. *See* "Notable Middle Templars."

[2] George Oglander; admitted 6th February 1627 as son and heir-apparent of Sir John Oglander of Nunwell in the Isle of Wight. This was not the first occasion of insubordination on his part. *See* Mins. of Parl. 16th April 1630; Records, p. 762.

[3] Christopher Turner, called to the Bar 1633, elected Bencher 1654, and made Baron of the Exchequer in 1660. *See* "Notable Middle Templars."

Petition under their hands in these words, viz^{t}. "To the Right Worshipfull the Masters of the Bench of the Middle Temple The Humble Petition of Richard Deyer, Christopher Turner, John Lisle and George Oglander, Whereas your Masterships have conceived displeasure against us for an Order made by us and the rest of the gentlemen in Commons before Christmas, ffor which your Masterships have ffined some and discommoned all of us, and thereupon ensued great disorder committed by us, for which we are sorry Humbly Pray that we may be restored to your Masterships wonted ffavour, and that our ffines may be remitted, and we restored into Commons, and then we shall always pray for your happiness," the Masters of the Bench, to gratify the said Judges in their request, and in hope of better conformity henceforth in the gentlemen, are
[48.] contented to remit their ffines, and to receive them into Commons and ffavour, and to surcease further proceeding to punish for the offences past, nevertheless they damn their order, doom and adjudge their Book to their[1] ffire, and do further order it to be expulsion ipso facto for any man at any time hereafter to take upon him, exercise, or claim, any power, liberty, or authority, to govern within the House, otherwise than as subordinate and subject to the Orders controul and government of the Masters of the Bench.[2]

[Readers.] From the Benchers are chose Readers who used to read law twice in the year, viz^{t}, in Hillary and Trinity Vacations, 'till at length the Readings were made occasions of emulation, each striving to outvie another in grandeur,[3] rendring them by that means extremely expensive; insomuch that many declined them, for that very reason, they becoming rather a burden than service to the Society. There-

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[1] In Kirby's MS. it is "the fire."

[2] Downing adds "I shall make no further remarks on the congruity of these two "attempts, nor on the ill tendency of the foregoing declaration, but refer to my anim-"adversions thereon annexed to the latter end of these observations." Downing's "Observations on the Barristers Declaration Hilary Vacation 1730" will be found printed at the end of Master Hopwood's edition of Downing's MS.

[3] Downing adds "Notwithstanding many Orders of the Bench in Parliament "were made from time to time and the Judges sent Orders also, as page 58 [*ante*, "p. 116] to restrain those exorbitant expenses, which render'd the Readings so extreamly "chargeable."

fore by an Order 20th June 1680 the Publick Readings were dis- [49.]
continued ('tho the degree and title of Reader was still continued), and every one who should be from thenceforward chosen Reader appointed to pay two hundred pounds into the Treasury.[1]

When the Publick Readings were in use the Readers were of three denominations, viz[t] a Single Reader, a Double Reader, and a Reader gradu.

The Double Reader was he who having read before was elected to read a second time.

It is to be supposed that the number of Benchers was then but small and not designed to be augmented,[2] therefore were obliged to read twice that there might be no intermission of the Readings, but by what method or in what course the Double Reader was elected I no where find.

But the number of Benchers being increased, it is to be pre- [50.]
sumed the Double Readings in consequence thereof ceased, ffor I find no mention of a Double Reader since the year 1588.[3]

That the number then or soon after began to be pretty large seems evident, since it appears that in the year 1606 there were in this House thirty-six Bench Chambers.

A Double Reader was not required to continue his Reading so long as a Single Reader.[4]

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[1] The date of the Order was 25th June 1680, and provided that "This order "shall be in force for every succeeding Reader for four years from the end of "Michaelmas Term next, each paying the same sum." The last Reader who publicly read was Sir William Whitlocke in 1684 (Samuel Pegge's Curialia Misc., p. 326). Subsequently the Order seems to have been continued, without further order, until 23rd January 1761, when it was ordered that the Reader appointed in Hilary term, instead of an entertainment, should pay into the Treasury twenty guineas; and by Order 14th May 1779 the Autumn Reader, instead of providing venison, should pay a like sum into the Treasury, before his reading should be allowed.

[2] Downing adds "(tho it seems that they afterwards much increased in number, "which gave occasion to the 11th Article of the Orders from the Judges)." See page 118.

[3] Downing substitutes for "since the year 1588" "since Rich[d] Swayne Esq[r], who "read the second time in Lent Vacation 1609. Yet it seems that Double Reading "was not look'd upon as wholly laid aside when the Judges issued their Orders, "anno 1630, wherein is one Article enjoyning the election of Double Readers." Serjeant Brampton was Double Reader in 1623, see note *ante* p. 43.

[4] Downing adds "as appears from the first Article of the Orders." See page 116.

A Single Reader is he who hath not read before. How long he was originally obliged to continue his Reading I no where find, except as mentioned by Sir William Dugdale. But it is to be supposed that a time by degrees was contracted, which gave occasion to the seventh Article of the Orders by the Judges 7th November 1614: that no Single Reader should give over his Reading before Wednesday in the third week.

[51.] A Reader pro gradu was when any one who had read once was called to the degree of a Serjeant at Law, and a Reading time happened between the Teste of the Writ, whereby he was called, and the time of his going up. As if any one called to the degree of a Serjeant the end of Hillary or Trinity Terms to go up the beginning of Easter or Michaelmas Term, he was then obliged to read in that Vacation. Consequently when double Readings ceased, so did also the Readers pro gradu, 'tho Sir William Dugdale says a Serjeant so called was not excused from such Reading, 'tho he had read twice before.

If two or more Readers were so called to be Serjeants, the junior was to read pro gradu and not any of the other.[1]

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[1] Downing here inserts partly from Sir William Dugdale's "Orig. Jurid." a list of Readers from 1663 to 1738 and then proceeds as follows as to the privileges of a Bencher, which is not in the other MSS.

"It may not be improper in the next place to take notice of the privileges, "immunities, and advantages appendant to the degree of a Bencher.

"What they were formerly I do not find, but at present they are only as follow

"A Bencher as soon as called to that degree may take his place and have a voice "in Parliament, and as soon as he hath compleated his reading, or paid his fine "pursuant to the order 25 June 1680, hath the Option of a Bench Chamber,* if there "is one vacant, the least of which is of the value of twenty pounds per ann. (and there "are twenty six in number, as will be shew'd further on), and hath also the liberty of "changing in his turn when better fall.

"When he comes to be Treasurer, if any Chamber falleth to the house that year, "he may take it, or if more which he pleases of them, as a perquisite, with power (by "Order of Parliament in course) to dispose of such Chamber, as he shall chuse, for "a life and one assignment; and if no Chamber fall, or he doth not like such as do "fall, he hath one hundred pounds in lieu of such perquisite, and pays no duties "during his Treasurership.

"Every Bencher heretofore might admit as many sons as he pleased into the

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* Since the 10th January 1870 the option of a Bench Chamber has ceased.

Having thus taken notice of the Legislators, and the manner of making the Laws Rules and Orders, it will not I hope be thought fforeign to the present design to mention some of the Laws them- [Exercises of Barristers and Students.] [52.]

"Society without fine, but by an Order of Parliament made 9th Febr 1732 no Bencher "shall admit more than one son without fine.

"All sons of Benchers are excused the keeping of Commons and performing "Exercises before their Call, and keeping Vacations and performing Assignments "after their Call to the Barr.*

"The method of Calling to the Bench is in this manner

"When the Bench are dispos'd to call, the Under Treasurer lays before them "a list of the names of severall Barristers, with the day and year of their admission "to the Society, beginning with the next immediately following the Gentleman last "called to the Bench in due course (that is not such as are called out of course by "reason of any dignity confer'd by the King as above).

"From this list the Masters of the Bench in Parliament select what number "they please of such as they think most worthy of that degree, and an Order for "their being called is entr'd accordingly, and a copy of this Order severally presented "to each of them by the Under Treasurer.†

"The gentlemen so called appoint a certain day in term when they propose "to come up, before which every one that hath not a Chamber in the house in his "own name is by Order of the 31st of October 1666 to pay into the Treasury of this "Society fifty pounds as a security of his future Reading, and every Master so called "who hath a Chamber in his own name is by the same Order restrained from trans-"fering it till his Reading is over.

"These Masters when they come up are to treat the Bench with french wine, "and the Bench generally provide a dish or two extraordinary for their reception.

"When the day appointed is come the Masters Elect seat themselves at the Barr "mess, and when the Bench are set down to dinner the President at the Bench table "sends an invitation by the Chief Butler severally to such as are to come up, beginning "with the senior, who coming up to the Bench table is welcomed by each Master in his "turn, and takes his place, and so till all are come up.‡

"All the Officers attending in the Hall claim a fee of wine on the coming up of "any new Master to the Bench in the following manner

"Each Officer for every two Masters who come up together two bottles of wine,

* All privileges in respect of Benchers' sons have long since ceased.

† At the present time as a rule the following is the procedure: At the Parliament following the vacancy the Treasurer submits the question whether it shall be filled by silk or stuff gown; at the next Parliament the nomination is made, and at the following Parliament the election is made. By Order 14th January 1870 Masters pay one hundred guineas on being called to the Bench. They no longer treat the Bench to wine.

‡ This custom had for many years fallen into disuse, the call taking place in the Parliament Chamber, but it was revived during the Treasurership of Master Sir John Bigham.

selves, which have been with the greatest care penetration and circumspection calculated for the learning, improvement, support, unity and honour of the Society, but these will most properly fall under their several heads.

The method of attaining to learning is spoke of at large by Sir William Dugdale, but as the constraint on Students to improve themselves in learning will more plainly appear from the several Orders themselves, I have transcribed some few of them, not those which first ordained the methods (they having had the misfortune to be lost, either through length of time or some now unknown accident), but those orders which have revived and inforced the original rules and customs of the Society.

The 27th June 1623: the following Order was made.

Upon consideration had of the great neglect that hath been of late time of that ancient and laudable use of performing Pleadings
[53.] to the Case brought in by gentlemen under the Barr in Vacation times, and of repeating such Pleadings as well by the Mootmen themselves as by the other younger students assigned to repeat the same, how it tendeth directly to the decay of true learning and of that skill and knowledge in the Law which of all other is most excellent and honourable, the Masters of the Bench desiring to reform the same, and that young gentlemen students may be timely seasoned and inured to that kind of learning which in their course and practice of study of the Law will prove unto them most usefull and advantageous, have therefore at this Parliament ordered that what gentlemen soever shall hereafter in Vacation time bring in any such Exercise of Moots to be sat upon and argued by any of the

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"and for the odd numbers the same as for the next superior even number, that is, if "two each two bottles, if but one the same, if four each four bottles, if but three the "same, and so forth.

"The Under Porter and the Stewards man have but one bottle for the "others two."*

* By Order 18th January 1861 the salary agreed to be given to any servant of the Society is the only remuneration. All gratuities were forbidden by Order 17th January 1851.

Masters of the Utter Barr, they shall also form and draw Pleadings to their Case, and the same shall deliver in writing to the Ancient Butler at least two days before their Moote, to the end he may Assign in Course, or by direction of the Barr, two younger students to every Moote, whether in Commons or not, to repeat the same [54.] Pleadings, and after the Puisney Mootman, according to the ancient use, again to recite the same; and if henceforth any such Mootman performing such Exercise shall fail to draw in writing their Pleadings wherein the truth of their Case may appear, and to deliver the same accordingly, then they and every of them so failing to fforfeit and pay into the Treasury of this House for every such default the sum of fforty shillings; and if any younger gentlemen assigned to repeat their Pleadings refuse or neglect to perform the same, every of them likewise so refusing to fforfeit and pay as aforesaid the sum of fforty shillings; and if the Puisney Mootman at any such Exercise fail to rehearse his Pleadings before he fall to his Case and Argument, then the same Moot not to be recorded nor taken for an Exercise; and if any the gentlemen of the Barr, that shall hereafter attend any such [55.] Exercise, shall at any time sit upon any such Moote where the Case is not pleaded as aforesaid, or the Pleadings not recited by two younger gentlemen students, or by the Puisney Mootman, or shall remit the said Pleadings, or the reciting the same, every such Utter Barrister so doing likewise to fforfeit and pay into the Treasury of this House for every such offence the sum of fforty shillings.

29 May 1674: It was ordered,

1st That in every Assignment, the first Moot be in Assize or other Real Action; and that the Pleadings be repeated without any remission.

2d That the Moots performed by the gentlemen of the Barr and under the Barr be performed Memoriter without reading them, and every Case to contain two disputable points.

3d That no Moot be recorded unless the Masters of the Bench [56.] who sit upon Moots in Term time, or the Masters of the Barr who sit upon the Moots in Vacation time, subscribe that the Exercise was performed according to the rules before mentioned.

It seems not improbable that the Exercises were not originally limitted to number, or that such number was considerable, if there were not a constant duty, which all the Society were required to attend, and which most of them ffrequently did; insomuch that the senior's claim of precedence, preventing the performance of the juniors, called for an Order, 27 November 1612: to remedy that inconvenience, which order is as followeth

For Exercise to be performed in this House by Students of
[57.] of ffour years standing or upwards, and not to be hindered by Antients under the Barr claiming priviledge to begin Mootes every Vacation, it is ordered at this Parliament by the Masters of the Bench that the course and turns of Mooting shall be continued downwards, untill such students of ffour years standing and upwards as will bring in Moots have had their turns, according to their standing: and then the course of Mooting to begin with the Antients again, and care and remembrance to be taken thereof by the Butler that keepeth the Book of Moots.

That Moots abroad at the Inns of Chancery were frequent, and that Barristers ('tho probably those who were then called Probationers) as well as Students were required to attend them, seems to be ascertained by an Order made 22^{d} November 1611: in the following words.

[58.] It is Ordered at the Parliament aforesaid that the Utter Barristers of this House shall not at any time hereafter have the antiquity at the Mootes abroad at the Inns of Chancery above others of this House that are not of the Barr being their antients.

And in order to induce the Students to apply themselves more strenuously to the attainment of learning by making that the sole recommendation to the Barr, it was ordered 20th June 1580: that no gentleman should sue by Noblemen's Letter or otherwise for their Call to the Barr on pain of disgrace,

And M^{r} Grafton on the ffith of May 1582: was ffined fforty shillings for attempting to commit a breach of this Order.

That the due performance of Exercises was always looked upon as a method conducing to the attainment of learning appears from
[59.] the severall Orders before quoted, and that the Masters of the Bench might be appriz'd from time to time how strict a regard was

had thereto, it was ordered 5th Febry 1668: that the Chief Butler at the beginning of every Term should give an account to the Bench Table what Exercises were performed the preceding Vacation.[1]

The Exercises at this day required to be performed by Students to qualify them to be Called to the Barr are six in Vacation, one in Term in the Hall, called the Candle Exercise (because heretofore, when there were Supper Commons, it was performed after supper, consequently by candle light), and two at New Inn (now the only Inn of Chancery belonging to this Society). The performance of which is enforced by the penalty of fforty shillings each, as in the Order 27th June 1623.

N.B. That a great many gentlemen of Ireland pursue the study of the law in this House who are not Called to the Barr here, but by [60.] carrying from hence a certificate of their time of Standing, Exercises performed, and Commons kept, are thereby qualified to be called in Ireland; in order to obtain which certificate seven Exercises only are required, and not those two at New Inn.

After their Call to the Barr, each gentleman is obliged to keep three years Vacation Commons, which was formerly look'd upon as principally conducive to the improvement of their learning; they being at those times the hearers or judges of the Cases and Pleadings brought in by the Students, whereby their judgments might in some cases be inform'd, and their memories in many be refreshed.

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[1] Downing here inserts the following further information: "And these antient and "laudable methods of performing Exercises being neglected and growing into decay it "was ordered 7 June 1695 that Exercises to be performed in term should not be "allow'd by the Masters who sit on Exercises, unless the pleadings be drawn and "repeated at large, and in Mootes and Exercises to be performed in Vacation the "Case, and arguments thereon, shall be put in writing by the Mooters, and the "pleadings put in writing by him who brings the Case, and, after the performance of "the Exercise, shall be delivered over to the Butler, who attends the Mootes, to enter "the Case in the Book, and to bring all the Mootes, pleadings and arguments, to the "Treasurer to peruse, and to give account thereof to their Masterships for their "allowance at the next Parliament.

"And 25 of October in the same year it was ordered that the Cases, pleadings, "and arguments, should be distributed amongst the Masters the first Parliament in "every term following Vacation Exercises for their perusall, and to report the same, in "order to be allowed by their Masterships the last Parliament."

[61.] The due observance of these Vacation Commons was at all times strictly required, and several Orders made to enforce it, and the Officers of the House laid under penalties should they connive at any attempt to evade or controvert the Orders relating thereto.

Some of which Orders are as follow:

The 4th of February in the 10th year of the reign of King Hen: the 8th, it was ordered that at the end of every Vacation, before the next Parliament, the Treasurer and Steward should make a Bill of the names of all such as were bound to keep Vacations, and the Steward should acquaint the Treasurer who had failed, and that the Treasurer should present the said Bill and ffailures to the next Parliament.

[62.] And 17th[1] April 1616: it was ordered that if the Chief Butler should cast into Commons any Vacation Barrister who was absent he should fforfeit ffive pounds.

And 23d November 1683: it was ordered that no Utter Barrister should be allowed to have kept his Vacation Commons who had not actually taken one meal in every half week.

This Order seems to impply their being present every Exercise day; it scarce being to be imagined that when laid under a restraint to be present one day in three, they would be absent on that day which only was likely to afford them a benefit.

The penalty for ffailing to keep these Vacation Commons is ffive pounds, but now customarily compounded at thirty five shillings and sixpence, 'tho there is an Order 3d May 1611: that whoever failed to keep his Vacations should fforfeit for the first offence forty shillings, for every other three pounds, without any abatement.

[63.] Barristers after their Call to the Barr are obliged also to perform two Exercises in the Hall in Term; which Exercises are commonly called Assignments; each Barrister taking his turn according to his seniority, regularly summoned thereto by the Chief Butler.

Each Barrister is also liable to be chosen Reader at New Inn; which choice is performed in the following manner, vizt, On the

[1] In Kirby's MS. "17" is struck through and "19" substituted.

Tuesday before Ascension Day a list of twelve Barristers is sent up to the Bench Table, of which the Quatuor mark six, which six names are sent to New Inn, and they mark two, which two are the Readers for the ensuing year.[1]

N.B: Each list begins from the last Reader.

When any Barrister duly summoned to perform his Assignment shall fail to appear to perform the same accordingly, he is ffined ffive marks for each time he so faileth, that is, for every Exercise day during the continuance of that Exercise, by Order 11th February 1630.

[Of the Terms in respect to Assignment Exercises.]

But in order to apprehend how much any gentleman may be liable to be ffined, it will be necessary to consider the nature of such Exercise and the manner of performing them: vizt.

[64.] In Easter Term are two Assignments, in Trinity Term one, in Michaelmas Term two, and in Hillary Term one.

The days for performing of Exercises are Tuesdays and Thursdays, therefore, as in Easter and Michaelmas Terms there are two Assignments, in each the number of Tuesdays and Thursdays are equally divided.

Consequently Easter Term containing twenty seven days, and always beginning on a Wednesday, there must be seven Exercise days in that Term, but as Ascension Day is always one of them (which being Grand Day I do not find it usuall to perform Exercises thereon, no fine appearing to have been set on that day), therefore there are but three Exercise days to each Assignment.

[65.] Trinity Term containing twenty days, and always beginning on a ffriday, there must be ffive exercise days in that term, which (as there is but one Exercise[2] in this term) is the number of ffines a gentleman failing is liable to, except Midsummer Day, which is a Grand Day, should fall on one of them.

Michaelmas Term not always beginning on the same day of the

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[1] This paragraph, with the N.B., is omitted from Downing's MS.

[2] This word should be "Assignment," but it is wrongly copied in all the MSS.

week makes some difference in the number of Exercise days, as will appear from the following observations.

When the[1] Term begins on Sunday, as there are always thirty seven days in this Term, there are ten Exercise days, but as All Saints Day, the Grand Day, falls on one of them, viz^{t}: the second Tuesday in Term, the number is reduced to nine, that is, four for the first Assignment, and ffive for the second.

[66.] When Term begins on Monday or Tuesday there are eleven Exercise days, but as in either of these cases Term Commons begin not 'till Wednesday, and Term Exercises are not to be performed but in Term Commons, therefore the days for performance of Exercises will be but ten, that is, five for each Assignment when the Term begins on Monday, but when on Tuesday, All Saints Day, happening on the second Thursday in term, will reduce the first Assignment to four days only.

When the Term begins on Wednesday there are eleven Exercise days, but as one of them is the last day of Term, it is not that I can anywhere find accounted as one, but each Assignment hath ffive days.

[67.] When the Term begins on Thursday, though there are eleven Exercise days, yet on ten only are Exercises performed, as well by reason the weeks[2] Commons begin not 'till Sunday, as that the first Thursday being the first day of Term, the Cases cannot be delivered to the Masters (who sit on Exercises) the day before, as they always must.

When the Term begins on ffriday or Saturday, there are ten Exercise days ffive to each Assignment.

In Hillary Term, as it contains just twenty one days, if the first day of Term be Sunday there will be six Exercise days.

If the Term begins on Monday there will be only four, the

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[1] The word "the" in this and the four following paragraphs is struck out in MS. No. 1 and the word "Michaelmas" substituted in a different handwriting. The alteration does not occur in the other MSS.

[2] Downing substitutes "term's" for "week's."

Tuesday following not being in the weeks commons, and the second Thursday in Term being Grand Day.

If the Term begins on any other day of the week there will be five Exercise days viz: [68.]

If on Tuesday or Thursday the first will be abated for the reasons before observed.

If on Wednesday or ffriday, the last day of Term being Tuesday or Thursday will be abated.[1]

And if on Saturday the second Tuesday in Term will be Grand Day.

Hence it appears that to each Assignment in Easter Term are three days.

To the Assignment in Trinity Term ffive days, except Midsummer Day happen to be one of them.

In Michaelmas Term, when the Term begins on Sunday or Tuesday, the first Assignment hath four days, and the second ffive, but if the Term begins on any other day of the week, they have five days each.

And in Hillary Term, when the Term begins on Sunday, there are six days, if on Monday four, if on any other day five.[2] [69.]

When gentlemen both appear to perform their Exercise, it is customary to remit the first and last Exercise day in the Term, but in case one or both fail to appear, there is no remission.[3]

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[1] Downing substitutes for the five preceding paragraphs the following:

"Hilary term as it containeth just 21 days, if the 23 day of Jan^{ry}, which is the "day on which the term should always begin, happeneth on Sunday or Monday, "Commons begin on Sunday, in each case there are six Exercises, but when the 23^{d} "falleth on Monday, the second Thursday in Term is Grand Day.

"If the term begins on Tuesday or Thursday, the first will be abated, as not "being in the weeks Commons.

"If on Wednesday or fryday, the last will be abated, being the last day of "Term."

[2] Downing substitutes for this paragraph "and in Hilary term five days always, "except the term begins on Sunday."

[3] Downing here inserts the following paragraph:

"As I observ'd before that the Grand Days are no Exercise days, yet it has lately "been the opinion of the Masters that failures shall be fined on those days, tho no "Exercises are ever performed."

Here it may be observed that 'tho the Benchers who sit on Exercise remit the performance, their turn of sitting is not thereby remitted.

As the ffine for each ffailure is five Marks,[2] so it is customary to compound it for four Nobles.[3]

It is now usual when a gentleman hath failed, and been fined for so doing, to account his Exercise over, he being no more called upon to that Exercise.

But formerly such ffine was only look'd upon as a punishment
[70.] for the neglect, and did not excuse the performance of the Exercise, as appears from the Order for that purpose 27th June 1617, and another 26th November 1630, and Mr Pritchett's[1] Case pursuant thereto, also the express words of a subsequent Order 11th February 1630:

And 'tho it was always customary to compound these ffines, yet they were not always limitted to a certain composition as now; but originally at the discretion of the Bench, afterwards at the pleasure of the Treasurer; and that Barristers might not through the smallness of the composition for their ffines be induced to neglect the performance of their Exercises, it was ordered 11th October 1639: the 9th February 1659, and 26th November 1660: that no fforfeitures in Vacations and Assignments should be compounded 'till they were fforfeited.

[71.] OF THE REVENUE OF THE SOCIETY

As this Society hath no endowments, it is supported, and the current expence defrayed, by certain Duties, ffines and fforfeitures, payable by the Members, such as Penc̃ons, ffines for admissions to House and Chambers, fforfeitures for neglect of attendance at Exercises and Commons, etc.; of which I shall make some few remarks in their order.

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[1] Kirby inserts "(13^{s} : 4^{d})."

[2] Kirby inserts "(6^{s} : 8^{d})."

[3] Downing spells the name "Pritchard."

A Duty under the title of Pensions seems to have been the same it now is from the first institution of the Society, from which no member is exempted (save only the Treasurer during his treasurership, as by the Order 12th June 1697:),[1] but all equally contribute to the support of the Society vizt: 20d: every Term. [Pentions.]

Not but there are some instances of extending this Duty on certain urgent and emergent occasions, as for the building the Hall, vizt 8th February 1570: it was ordered that the Pencons should be increased for three years in the following proportion, Masters of the Bench ten shillings each per Term, Utter Barristers, Attorneys, or [72.] Officers of any of the Courts, six shillings and eight pence per Term, and all others three shillings and four pence per Term. Which increase was continued from time to time by several Orders to the end of Trinity Term 1579:

Fines for Admission to the House have not always been ascertained, but at the discretion of the Treasurer (or the Reader in the Reading times), as appears from the Books of Admissions, where the ffines paid appear to be various, some three pounds six shillings and eight pence, some ffour, some ffive pounds, and Mr Skerne 31st July 1557: was specially admitted for a ffine of one hogshead of wine. [Fines for Admissions to House.]

Admissions were then of two sorts, General and Special:

Persons Generally Admitted were obliged to keep all Vacations, and to take their turns in the execution of such Offices as should fall [73.] to their lot for the celebration of the Publick Christmas; and those who refused to take upon them the said Offices were ffined at the discretion of the Masters, as were Mr Heron and Mr Stukely five pounds each in Michaelmas Term 1505: and several others.

And in order to compell them to execute the said Offices, and keep their Vacations, they were immediately to enter into Bond to the Society, with two Sureties, and in consideration of the aforesaid obligation they paid a smaller ffine for their Admission.

Persons Specially Admitted were of several degrees excused

[1] In Downing's MS. the date is 1607, which is correct.

from so many Vacations as were expressed in their Admissions, some more, some less, and in consideration of such exemption paid a larger ffine.

By[1] an Order 2d June 1568: it was ordered that a gentleman, who had been a whole year of any Inn of Chancery belonging to
[74.] this House, should pay fforty shillings ffine, if so long of any other Inn of Chancery ffive pounds, and if of no Inn of Chancery six pounds thirteen shillings and ffour pence.

But two years after that, by an Order 5th May 1570: the ffines of Admissions were much reduced (ffor what reason or by what motive doth not appear), vizt, If of any Inn of Chancery belonging to this House twenty shillings, if of any other Inn of Chancery fforty shillings, if of none ffifty three shillings and ffour pence; but it doth not appear by the Books that this Order was put in practice, 'tho I find not when it was repealed.

Here it may be observed that the method of removing from one Society of Court to another was not yet brought into practice; since here is no ffine in such cases assigned.

[75.] Fines of Admissions to the House are now[2] ffix'd, vizt, Every Special Admission ffour pounds (as to the General Admissions since the Publick Christmasses were laid aside they ceas'd in course), only a native of Ireland pays ffive pounds for his Admission.[3]

The reason of such difference and distinction between the gentlemen of Ireland and others I no where find.

But it appears that formerly no person born in Ireland was allowed to be a Member of this Society by an Order made 6th June 1555:[4] in the following words.

Also at this Parliament it is called into remembrance how that by the antient Statutes and Orders of this House, none born in

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[1] Downing commences this paragraph as follows:

"Fines of admission to the house were afterwards attempted to be rendered "certain as appears by an Order of 2nd June 1568," etc.

[2] Downing inserts "(and for severall years past have been)."

[3] Here is inserted in a different handwriting: "But this ffine is by Order reduced "to £4."

[4] In Kirby 1555 is struck through and the correct year 1554 substituted.

Ireland should be admitted ffellow at this House, yet now at the request of the Right Honourable M^r^ Baron Brown, and upon his long suit, one Caroll Fleming, son and heir of John Fleming of [76.] Sian in Ireland, is admitted ffellow Generally by the authority of this Parliament, with this proviso that this admittance shall be no precedent hereafter to break the former Order, and furthermore, by the whole Bench it is consented and enacted, that from henceforth none born in Ireland shall be ffellow of the House for or upon the suit of any person.

And probably after that they might be induced to dispence with that Order or Custom, and condescend to admit the Irish under the restriction of paying a larger ffine than others.

Or perhaps the following consideration might contribute to the increase of their ffine, viz^t^.

That as the gentlemen from Ireland come hither only for their improvement in the study of the law, and as soon as qualified they return and are Called to the Barr there, whereby this Society is depriv'd of [77.] any other benefit from them as to Dutys payable, either at or after their Call, therefore it is but reasonable they should pay a larger ffine than those who are Called to the Barr here, and continue all their lives contributors to the support and maintenance of the Society.

However it may have been, they now supply a considerable space in the Rolls of this House.

[Admissions to Chambers.]

Admissions to Chambers were also originally at the discretion of the Bench, till at a Parliament held the Thursday before S^t^ Thomas's 13^th^ H: 8^th^ power was given to the Treasurer to admit to Chambers.[1]

The ffines for such Admissions it is to be supposed were then discretional, subject to no rule or limitation, 'till 24^th^ November 1615: it was ordered that no Admission to a Chamber, or part of a Chamber, should be under 5^li^, unless the Treasurer should see sufficient cause; and 25^th^ June 1658: it was ordered that all ffines of

[1] Downing adds "at such fine as he pleased."

Admissions to Chambers should be after the rate of five pounds per cent' of the value of the Chamber, which method is still in practice.

[78.] And to prevent any delay in the payment of ffines set on Chambers, which if tolerated would tend much to the prejudice of the House, it is ordered 25th June 1652 that all ffines for Admissions to Chambers shall be paid by the next Parliament or the Chamber forthwith seized.[1]

The manner of holding Chambers is for life, by virtue of a Copy of a small writing signed by the Treasurer (filed in the Treasury Office and entred verbatim in a Book for that purpose), much in the same nature as by Copy of Court Roll.[2]

It is now customary to grant an assignment to be added to the interest for life, whereby the executors or administrators of the life deceased have power to dispose of such Chamber to any other member to the best advantage they can, provided it is done within one year after the proprietor's decease; and the ffines given for such assignments are after the rates of fifteen per cent of the value of the Chamber.

[79.] That there hath been some intermission in this custom appears from an Order made the 23d November 1683: in the following words, It is also agreed and so ordered, that from henceforth no New Assignments be granted in any of the Chambers of this Society. Which Order I do not find any where repealed, but believe in time grew into disuse.

The first instance that appears of dispencing with this Order was 31st May 1689, when Mr Barlee, who had been admitted to the Chamber late of Mr Justice Ventris, had an Assignment granted therein, at the request of the said Judge, but as this seems no more than granting him the same interest therein which the judge had before therefore.

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[1] Kirby substitutes "forfeited" for "seized.'

[2] From the Parl. Rep. 1855 it appears there were then 62 sets of Chambers held upon one single life, and one set upon two lives, but on the falling in of these all the Chambers would be the property of the Society, except 26 sets of Chambers appropriated to the Benchers.

The first instance (since the said Order) of granting an Assignment on the Petition of the Proprietor, appears to have been to Mr Hancock 27th April 1694, after which I conceive the custom of granting Assignments universally again grew into use.

It hath also been customary, when a building is old and much decayed, to grant the proprietors of all the Chambers in that building two Assignments to be added to their then interest therein, as an encouragement to, and consideration for, the expence of rebuilding them.[1]

It seems that originally no person had any other property in any [80.] Chamber but for his own use and habitation only, consequently that every Member who had a Chamber was obliged to reside therein himselfe; and that the greater number of Members might reside in the House, none under the degree of the Bench was to hold a Chamber alone without a Chamber ffellow.

It seems also that all the benefit the House then made of Chambers was the ffines of Admission; it not being in any person's power to alienate his interest, the sole disposall of Chambers being in the House; at which time it was customary to admit to Chambers in expectancy.

By an Order of Parliament 18th November 1° Edwardi 6th, which Order was reviv'd 6th May 1608: buying and selling Chambers is forbid sub penâ forisfacturæ.

In those times it was customary to grant an Assignment in Chambers, but from the foregoing observations it is reasonable to

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[1] Downing has inserted this paragraph before the three last preceding paragraphs and also the following additional matter:

"This seems to have been an expedient for saving the house the expence of "building, at a time when they were in much want of mony, presently after they had "been at a very great expence in building the Hall, for the first assignments which "appear to have been granted were by Order 17 May 1577 for consideration of "building, in the following manner

"To the upper rooms one single life was to be admitted, and to the rest two "collaterall lives, the executors of the survivor in the lower rooms, and of the possessors "in the upper rooms, to admit within halfe a year; and from hence it is probable arose "the custom of purchasing assignments."

infer that it was only to secure the Chamber to some ffriend or Relation, excluding the power of option in the senior barristers in case it should be vacant by death, or else to reserve to themselves a power to nominate their successor in the Chamber whenever the proprietor should think fit to retire from the Society.[1]

[81.] That this was the method of distributing Chambers through the House seems confirmed by an Order made 3^{d} November 1570: (viz^{t}:) If a Chamber shall be vacant by Death or fforfeiture, the Treasurer shall not admit any other thereto, unless it hath been so vacant 14: days if in term, and twenty eight days if in Vacation, in order that the Masters of the Utter Barr may have their choice thereof before any other; and another made 19th June 1612: viz^{t}: And it is further ordered at this Parliament that from henceforth upon the death of any Master of the Bench, Utter Barrister, or other gentleman of this Society,[2] having Chambers within this House, the Under Treasurer for the time being is to see a padlock set on the Chamber Door of the deceased, and to keep the key thereof, untill such time further Orders be taken by the Masters of the Bench.

Consonant thereto was also an Order made 26th January 1626: relating to Serjeants at Law as followeth:

[82.] And it is also declared and resolved by all the said Masters of the Bench that no Serjeant at Law, having a Chamber in this House, after he hath taken his oath and been solemnly invested in the robes of a Serjeant, hath any right or interest to detain or dispose of his

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[1] Downing here inserts the following paragraph:

"That this was the nature of assignments at that time seems to appear from the "Order 21 June 1588, that if any member having an assignment in a Chamber "should suffer another member, who had no Chamber, to lye in his Chamber for the "space of one year, such member should be deem'd assignee and the proprietor be "barr'd nominating."

And he prefaces the next paragraph as follows:

"That the then method of distributing Chambers through the house was by "granting a preoption to the Senior Barristers, and when refused by them, disposed "of by the Treasurer seems confirmed by an order made 3^{d} November 1570," etc.

[2] In the MS. "Society" is struck out and "ffellowship" substituted in a different handwriting.

In Kirby's MS., and in MS. No. 2, the word "fellowship" is used, but Downing uses the word "society."

said Chamber, but that his interest or right in the same thereupon doth cease and determine, and that his said Chamber doth accrue and come into the House to be disposed of.

The great regard that was then had to the Residence of Members in the House appears from a great number of Orders made for that purpose, and the strict obedience required to be paid thereto, insomuch that gentlemen, being Members resident in the House, who should have any occasion to go into the country, or beyond the seas, were obliged to have a dispensation from the Bench, lest their Chambers through their discontinuance should be forfeited; as in the case of Mr Watts 8th July 1614: who having a dispensation for one year, which time not being sufficient for his occasions, he was obliged 23d June 1615: to renew the same for a year longer.

The like was the case of Mr Wm Moor and Mr Henry Moor [83.] 28th November 1614, Mr Francis Izod and Mr. Charles Savage 9th February 1615, and several others.

The 21st June 1588: it was ordered that if any Member having an Assignment in a Chamber should suffer another Member, who had no Chamber, to lye in his Chamber for the space of one year, such Member should be deemed assignee, and the proprietor be debarred nominating.[1]

And to prevent strangers residing in the House it was ordered 26th January 1612: that if any gentleman should suffer any stranger to lodge in his Chamber, he should pay ffive pounds for the first offence, and for the second offence the Treasurer to admit another to his Chamber.

And 12th June 1629: it was ordered that Mr Needler's Chamber should be seized for being rented.

The 20th May 1631: it was ordered that whoever having a Chamber should suffer any other, 'tho a member having not a Chamber, to lye in his Chamber, without consent of the Treasurer, [84.] should for every week fforfeit ffive marks, which if not paid when demanded should lose his Chamber.

[1] This paragraph is omitted by Downing here and inserted earlier. See page 142.

These several Orders seem plainly to demonstrate that every person admitted to a Chamber was obliged to occupy his own[1] Chamber.

And because the Bench would be duly informed of any attempt to commit a breach of their Orders in that kind, it was ordered 15th May 1629: that the Under Treasurer should present all discontinuances to the Bench once a year.

At present the manner of enjoying Chambers is much different: Insomuch that every gentleman's Chamber is his free property, and he disposeth thereof as he thinks fit. Nor is it ever enquired whether the proprietor resides in his Chamber or not, nay several persons, as well strangers to the Society as members, purchase Chambers only to let them, by which practice there are Stationers, Booksellers, and Barbers possessed of large incomes that way, some of them (it is
[85.] said) of two, three, or four hundred pounds annual rent and upwards.

But to return to the former subject, it may not be improper to observe that the fforfeiture of Chambers in several of the foregoing and other cases was not absolute, but upon the proprietors submission he was restored, being obliged only to be readmitted, as appears from the time limited for such readmission in the Order 29th October 1641, which I have here transcribed vizt.

Also Whereas the revenue and support of this Society doth principally consist in ffines upon Admittances into Chambers, for preservation whereof many good Orders from time to time successively have been made, some enjoining the gentlemen owners, or others in their absence for a certain time making use of their chambers, to be admitted; other Orders appointing what number of weeks in the year those who are so admitted shall be in Commons, or otherwise cast into Commons; other Orders binding upon fforfeiture by discontinuance or not payment of Commons and other Duties to be readmitted; and other Orders restraining strangers to

[1] The word "own" is struck through in ink in MS. No. 1, but it is inserted by interlineation in MS. No. 2. It is also in Kirby's MS., and without interlineation. The entire paragraph is omitted by Downing.

lodge in the said Chambers; all tending to the maintaining of the said revenue and preventing a diminution thereof, the not putting in execution of which several Orders hath caused a sensible decay of the said revenue; ffor remedying whereof in time to come it is thought fit, and so ordered by all the Masters of the Bench at this Parliament, that all the forementioned several Orders concerning Chambers respectively be and continue in full fforce to all intents, according to the purports of the said several Orders. And that every gentleman having a Chamber and is in arrear for Commons and other Duties do pay the same forthwith upon pain of seizure of such Chamber by M^r^ Treasurer for the use of the House; and if after such seizure for any such cause by M^r^ Treasurer for the time being, the gentleman (whose Chamber the same is) come not within three months and be readmitted, paying such ffine for the same as the said M^r^ Treasurer shall assess, then the Chamber so seized shall be disposed of to the best advantage of the House to any other gentleman of the Society whom it shall please M^r^ Treasurer for the time being to admit thereinto. [86.]

Forfeitures for nonperformance of Exercises and non-attendance in Vacation Commons, which are another part of the revenue of the House, I have before taken notice of. [87.]

[Fines for not Reading by a Master or at New Inn, etc.]

Fines for not Reading also accrue to the Treasury of the House.

Heretofore when a gentleman chosen Reader refused to read he was liable to such fine as the Masters of the Bench should impose on him.

Every gentleman paying such ffine was by Order of Parliament 30^th^ November 1568:[1] to be looked upon as a Master, but to have no place, seat or voice in Parliament, yet to attend the Moots as other Masters.[2]

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[1] In Kirby "30^th^" is struck through, and "26^th^," the correct date, substituted.

[2] *Temp.* Hen. VIII, those who were put by their Readings, that is, who had passed their time of reading and had not read, removed from the Bar table unto a table called the Ancients Table (see *post*, p. 271). An Order dated 26th Nov. 38 Eliz. (1595) provided that this table should be on the north side of the Hall and should be called "Mensa Seniorum Magistrorum de le Utter Barr—Anglice, the Auncientes table," but other Masters of the Utter Bar and fellows might be allowed to sit there

At a Parliament 25th June 1680: it was ordered that every Reader should in lieu of his Reading pay into the Treasury of the Society two hundred pounds.

Since which time it hath been customary, when any gentleman hath been Called to the Bench, and refuseth to come up, to ffine him at the discretion of the Bench, but that is now disus'd.

[88.] There are Readers also at New Inn, who when they fail to read, are fined at the discretion of the Parliament.[1]

Irregularities, contempt of the Rules and Orders of the House or the lawfull commands of the Masters, and other misdemeanours are frequently (if not of too high a nature) punished by ffines.

The misdemeanours also of the Officers are in like manner punished by ffines.

Here it is to be observed that all ffines imposed by the Masters accrue to the House, but ffines imposed by the Barristers in Vacation Commons were usually cast into Commons, 'till 25th November 1608, when it was ordered that the ffines so laid upon the Officers should not be cast into Commons, but to be to the benefit of the House.

[Absent Commons.] Absent Commons are now also another part of the revenue of the House.

How Commons were ordered at the first institution of the [89.] Society is now no where to be found, but it is reasonable to imagine

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until it was full. By another Order dated 9th Febr. 1671, "In pursuance of ancient "usage, the usual ancient table shall be set apart for the ancient Barristers of the "House. No other gentleman of the Society shall sit there when any of the ancients "are in commons, on pain of 3s 4d." In 1855 (Parl. Rep. Evid.) the top mess of the first table on each side of the Hall was called the Bar Mess, reserved for senior Barristers; the first Bar Mess being on the south side, and the second Bar Mess on the north side. In the year 1876, during the Treasurership of Master Powell, Q.C., the Ancients Table was restored for the eight senior Barristers, not being Benchers, who may be dining in Hall on any evening, but the table is now in the centre of the Hall, between the first and second Bar Messes. The table is supplied with extra wine and occasional dishes, other than at the ordinary mess-tables; and should there be only one Bencher dining in Hall, it is usual for him to send the head butler, with his compliments, to the Captain of the Ancients Table, requesting the pleasure of their company after dinner to dessert in the Benchers' room.

[1] Downing adds "seldom less than 10£."

that all Members were obliged to keep Commons, except such whose Commons were dispenced with at their admission, or rather that there was originally no dispensation at all, but that all were indifferently obliged to be in Commons, 'till the number of members increasing, it pleased the then Masters to dispense with some, making only a small advantage in their admission ffine, which was the original of the different sorts of Admissions Generall and Speciall.

In length of time, General Admissions much decreasing in number, each affecting as great an exemption from restraint as possible, especially since such exemption was on so easy terms, the difference between the General and Special ffines being usually no more than 13^{s}: 4^{d}, it was thought proper in order to advance the interest of the House, by obliging as many as possible to keep Commons, to order (12^{th} November Anno 3^{o} and 4^{o} P: and M:) that every one lying in the House, except Benchers or persons licenc'd by the whole House, should be in Commons, Speciall Admissions notwithstanding; and 28^{th} May 1647: it was ordered that every gentleman having a Chamber in the House, and every Member lying in any [90.] Chamber in the House, should be Cast into Commons, which was making them equally contributors to the Term's expence with those who were actually in Commons.

Afterwards (the number of those Cast into Commons probably being large, and it seeming equitable that the House should receive some benefit and not the Commons[1] all), it was thought fit to order that a moiety of their money should be paid (by the Steward who collected it) to the House,[2] the other into Commons.

Discontinuers from Commons becoming more numerous, it was thought meet in some measure to ffavour them; therefore it was ordered that instead of casting such persons into Commons, a Roll should be made of them, under the title of Absent Commons, which

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[1] Altered in MS. No. 1 in a different handwriting to "Commoners," and Downing and Kirby also use the word "Commoners."

[2] Downing substitutes for the words "to the House" the words "into the "Treasury."

Roll was to be kept and collected by the Under Treasurer, and instead of casting a moiety into Commons, it became customary to abate it, and the other moiety was paid into the Treasury.

[91.] This method continued 'till the year 1724, when Supper Commons were laid aside, and a contract was made with the Cook and Steward to provide Commons for 13^{d}: per day each person, and one shilling extraordinary the Grand Day, that is eight shillings and seven pence the grand week and seven shillings and seven pence every other week, and the composition was ordered to be ffive shillings the grand week and four shillings the other, as it now continues.

The amount of this Duty is about five or six hundred pounds per annum.

[Rents.] The Rents arising from such Chambers and Shops as are in the hands of the House are another part of its revenue.

These as they stood Michaelmas 1733:[1] I have collected in the following list.

At the Great Gate

		Tenants Names	Annual Rent
[92.]	A Shop on the East side facing ffleet Street, by lease for seven years from Ladyday 1732 . .	Fra: Coggan, Bookseller.	35^{li}
	A Shop on the West side, by lease for 21 years from Ladyday 1717	Ben: Motte, Bookseller.	10^{li}

N: B: The rent reserved in the lease of the last mentioned Shop is 17^{li}. 4^{s}. 0^{d}, but as a small room over the Porter's Lodge is let with this Shop the 7^{li}: 4^{s}: 0^{d} is paid to the Porter.

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[1] In Downing's MS. the list is brought down to "Michaelmas 1739." It contains some slight differences in the descriptions, but such only are mentioned in these notes as are considered of any importance.

Kirby says "These as they stood at Michaelmas 1749 I have collected in the "following list," but omits to insert a list, leaving several pages blank.

		Tenants Names	Annual Rent
Middle Temple Lane	A Shop with Chambers over it, two stories high, on the West side of the Lane near the Great Gate, by lease for 7: yrs from Michaelmas 1732: . . .	John Lake, Hatter.	16li
Middle Temple Lane	A Shop on the East side, facing the last, by lease for 41: years from Michaelmas 1694 .	Widow Harvey, Stationer.	1li
Middle Temple Lane	A Chamber over the said Shop, three pair of stairs high . .	Do	4li 0s 0d [93.]
Middle Temple Lane	A Shop next adjoining to the South side of the former, by lease for 40: years from Midsummer 1694:[1]	George Grafton, Bookseller.	0 : 5 : 0
Middle Temple Lane	N:B: there is a lease granted to Mr Grafton of this Shop for 21: years to commence at the expiration of the former, vizt: Midsummer 1734: at 1ld: 5s per ann rent.		
Middle Temple Lane	A Chamber No 2: four pair of stairs high, on the South side of the staircase	Chief Butler's perquisite.	
Middle Temple Lane	A Ground Chamber, on the North side of the Storeroom No 4:	Mrs. Stephens.	5 : 0 : 0
Middle Temple Lane	A small Cellar taken out of the Storeroom	Do	0 : 5 : 0
Middle Temple Lane	A Ground Chamber, on the West side near the Watergate, by lease for 51: yrs from Ladyday 1689:	Mr. Garnum.	Pepper Corn.

[1] In Downing's MS. it is "by lease for 21 years from Midsummer 1734. "G. Grafton 1l. 5s. 0d."

			Tenants Names	Annual Rent
[94.]	Essex Court	A Shop at the North end thereof	Eph: Derby, Barber.	15li : 0s : 0d
		A Chamber N° 5, three pair of stairs high, on the South side of the stair case, given to the Reader	Mr. Broughton.	
	Elm Court	A Chamber N° 3, three pair of stairs high, on the West side of the stair case	W: Downing.	
		A Chamber, four pair of stairs high, over the former . . .	Mr. Ryley.	4 : 0 : 0
		A Chamber N° 4, four pair of stairs high, on the East side of the stair case[1]	Mr. Finch.	4 : 0 : 0
	Fountain Court	A Shop facing the North East angle of the Fountain . .	Jo: Wintely, Barber.	6 : 0 : 0
		A Shop facing the South East angle of the Fountain . .	Tho: Wright.	12 : 0 : 0
		A Room under the last Shop .	. . . .	6 : 0 : 0
		A lease of the last three at 10ld per annum expired Mich 1733:		
[95.]	Hall Passage	A Chamber, 3: pair of stairs high, over the Parliament Chamber	Mr Gordon.	12 : 0 : 0
	Garden Court	Two Shops at the West end of the Hall (adjoining to the South side of the Shop tenanted by Mr Wright), by lease for 41: years from Ladyday 1694: . . .	Mr Caddy.	3 : 0 : 0

[1] Downing adds:
"A Chamber on the West side, opposite to the last Pomfery 5. 0. 0."

	Tenants Names	Annual Rent
Three shops adjoining Southward to these last, which are given as perquisites to the second Butler, the Bar Butler and the Under porter, and pay to the House only 1^{s}: per annum each[1] . .	. . . .	0 : 3 : 0
A Chamber three pair of stairs high over the Library . .	M^{r} Booth.	8 : 0 : 0
A Chamber facing the last, on the other side of the same stair case, now given to the widow of one of the Butlers . . .	M^{r} Lerego.	

Garden Court

The Garrett on the South side of the Library stair case is divided into three, which by Order 13th October 1626: was given to the three youngest Butlers, 'tho now one of them is possessed by the Cook, by what means I know not, ffor I find no Order repealing the former or otherwise disposing of them: The Garrett on the North side of the s^{d} staircase is divided into two, the one of which is given as a perquisite to the Librarian. [96.]

Three small Shops at the South end of the garden buildings on the East side of Garden Court,[2] by lease for 45 years from Lady-day 1695:	M^{r} Crossley.	0 : 2 : 0

[1] In Downing's MS. for the last two entries the following is substituted:

"The Northern halfe of the Shops and Rooms
"built shed wise at the West end of the Hall . . Thorp 30. 0. 0.
"The other halfe are perquisites of two of the
"Butlers and under Porter, and pay to the house
"only 12^{d} each . . . . . 0 3. 0"

[2] Downing adds "facing the boghouse passage."

			Tenants Names	Annual Rent
[97.]	Inner Temple Lane	A Shop on the North side of Church Yard Court, being the corner shop, by lease for 41 years from Michaelmas 1701: . .	Mr Ward.	5li : 0s : 0d
		A Cellar, under the Chamber of Mr Green, on the East side of the stair case N° 3: in Church Yard Court, by lease for 40: years from Lady day 1705: . .	Mr G. Garnum.	0 : 1 : 0
		There is a Shop under the Church Porch[1] now lett for 12li per ann; but this rent seems to have been always received by the Clerk of the Temple Church.		
	South Church Yard or Lamb Building Court	A Chamber, four pair of stairs high, on the South side of the stair case N° 4: commonly called Lamb Building	Mr Bruncker.	4 : 0 : 0
		A Chamber, four pair of stairs high, on the North side of the same staircase	Mr. Gamull.	4 : 0 : 0
[98.]		A Shop adjoining to the North end of the Cloysters, by lease for 7: years from Michaelmas 1731 .	Thomas Gamull.	10 : 0 : 0
		A Shop under the Cloysters on the South side of the stair case N° 1:[2] by lease for 21: yrs from Xmas 1732:	Mr Smith.	1 : 5 : 0

[1] This is described by Downing as follows:
"A shop under the Church Porch fronting
"the Cloysters . . . . . Mr Gibbons. 12. o. o."

[2] Downing describes these premises as "a shop under the Cloysters adjoining to "the East end of the buildings on the South side of Pump Court, by lease," etc.

Pump Court Lamb buildings Court

	Tenants Names	Annual Rent
There is also a Shop, on the East side of the staircase N° 3, which is enjoyed by M^r Walthoe, Bookseller, without paying any rent to the House, but by what title I find not.		
A Shop on the East side of the stair case N° 1, by lease for 21: years from Xmas 1732 . .	M^r Walthoe.	8 : 0 : 0
A part of the Chamber, three pair of stairs high, on the East side of the staircase N° 6:[1] .	M^r Eyres.	7 : 10 : 0
New Inn		4 : 0 : 0
A drain from the Devil Tavern .	M^r Taylor.	0 : 4 : 0 [99.]
A drain from the Elephant and Castle	M^r	0 : 4 : 0
A drain from Cross Keys Court .	M^r Rutland.	0 : 4 : 0
A drain from Palsgrave's head Court	S^r Ti Child.	0 : 10 : 0
So that the whole annual rent accruing to the house is[2]		£186 : 13 : 0

This rent is sometimes increased by the addition of a quarter's rent of a Bench Chamber. It being an Order of the House that when ever a quarter day happens between the vacancy of a Bench Chamber and the next option, the quarter's rent shall be paid into the House. [Bench Chambers.]

As we are speaking of the Chambers belonging to the House, it may not be improper to take notice of the Bench Chambers, which (though they bring in no rent to the House, except on the above mentioned occasion, or when they so fall vacant that there are not Readers sufficient to take them, as is the present case there

[1] Downing adds after this entry:
"A Chamber N° 2 in Brick Court, three
"pair of stairs on the South side . . . Mr. 12. 0. 0."

[2] Downing states the whole annual rent accruing to the House as being £237 19*s.* 0*d.*

being now four [1] Bench Chambers more than there are Readers, the rent of which four accrues to the House, yet) are properly belonging to the Community.

[100.] The following is a list of such Chambers as are at present Bench Chambers.

				30 or above.[2]
Brick Court.	N° 1:	Ground Chamber . .	West	35
		One pair of stairs . .	East	35
			West	35
	N° 3:	One pair of stairs . .	North	30
	N° 5:	Ground Chamber . .	West	30
Elm Court.	N° 1:	Ground Chamber . .	West	
		One pair of stairs . .	East	24
	N° 3:	One pair of stairs . .	East	30
	N° 4:	Two pair of stairs . .	East	
Essex Court.	N° 1:	Ground Chamber . .	East	35
		One pair of stairs . .	East	40
			West	35
	N° 3:	One pair of stairs . .	North	35
Garden Court.	N° 1:	One pair of stairs . .	No: West	25
			So: West	24
	N° 2:	One pair of stairs . .	South	21
		Two pair of stairs . .	North	25
	N° 3:	Ground Chamber . .	South	25
	N° 5:	Ground Chamber under the Hall		24
Hall Passage.		One pair of stairs over the Parliament Chamber		24
		One pair of stairs over the porch		30

[1] In Downing "now three." In Kirby there is a blank.

[2] Many of the numbers, representing annual rents, have been altered. The original numbers are in many cases illegible, but the number written out is generally 30. The numbers here given are as altered, and they are the same as in MS. No. 2. In MS. No. 2 this column is headed, in a different handwriting, "Annual Rents according "to Mr. Stuckleys Copy." In Downing's MS. there is no heading, and the rents are different in some cases. In Kirby's MS. no list is given, several pages being left blank.

Pump Court.	N° 2:	Ground Chamber . .	East	28
		One pair of stairs . .	West	30
	N° 4:	Ground Chamber		22
		One pair of stairs		35
	N° 5:	Two pair of stairs . .	North	26

In all twenty six.[1]

These are Chambers, to one of which every Reader is entituled as soon as his Reading is compleated; provided there be one vacant and his seniors all supplyed. [101.]

When any Bench Chamber becomes vacant either by death, promotion, or cession of the possessor, it is subject to the option of every Reader, beginning at the senior, except the Attorney General or Sollicitor General be of the Society, then theirs is the first choice.

But by an Order of Parliament made the 26th November 1731: every Master loseth his power of option who shall not have actually kept two Terms Commons of the four Terms next preceding the vacancy.

The following Duties are appropriated to particular uses, vizt.

Minister's Roll.
Officer's Roll.
Serjeant's Roll.
Organ and Lucidary's and
Butler's Book

of which in their turn.

When this allowance to the Minister first commenced I no where find, but probably it may have been from the first institution of the Society. [Ministers Roll.]

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[1] According to the Parl. Rep. 1855, these 26 sets of Chambers had been appropriated to the 26 senior Benchers from a date beyond all memory, and this was then the Bencher's only privilege. They were held for life pursuant to an Order dated 4th February 1652. By Order dated 10th January 1870 no further option was to be granted to any Master called to the Bench after that day, and that as the options fell in the Chambers should form part of the general property of the Inn.

[102.] Perhaps their first landlords the Knights Hospitallers of S^{t} John of Jerusalem, when they lett the House to the Students of the Law, left the Church unoccupyed, so that they were compell'd to devise some means of subsistance for a Clergyman to celebrate divine service, which they did by this method, and assigned him a lodging in a Court then near to the South East angle of the Church, which contained part of Lamb Building and part of the Court now called Tanfield Court; and from thence it acquired the name of Parson's Court.

It is to be supposed that the lodging first assigned to that use was only sufficient for a commodious habitation; but in length of time they laid claim to the disposall and profit of several Chambers there, to the great dislike of the Societies.

How much the amount of this Roll might in its infancy be is not now to be guessed at; but it seems that it was but small, because when the Patent was purchased, there was only reserved to the Rector seventeen pounds six shillings and eight pence, and a convenient lodging to be maintained and kept in repair at the expence
[103.] of both Societys, without taking notice of any further allowance to be made by them;[1] 'tho there wants not instances of some of the Rectors insisting upon their right to this Roll, even not long after the grant of the Patent, but were repuls'd by the Societys with displeasure; and 'tho they lett the Rectors enjoy the benefit thereof, they also let them know it was only their bounty, and wholly depending on their pleasure.

The Rector or Master now receives a certain annual allowance in lieu of the amount of this Roll (viz^{t}) seventy pounds per ann from this Society.[2]

Towards this Duty every Bencher pays two shillings, every Barrister eighteen ˊpence, every other Member one shilling per Term.

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[1] Downing adds "to him this being all he was to have over and above twenty pounds per year from the Crown."

[2] Downing has altered this paragraph as follows:

"The Present Rector or Master, D^{r} Thomas Sherlock, Bishop of Salisbury, now "receives, and for severall years past hath received, a certain annuall allowance in lieu "of the amount of this Roll, viz^{t}, seventy pounds per ann. from this Society."

The Officer's Roll, commonly called the Calveshead Roll, is a certain Duty raised towards the support of ffive of the Officers of the House. [Officers Roll.]

Formerly[1] it was customary for these Officers to provide a breakfast of calvesheads on one certain day in the year, which I take to be Ascension Day; at which time the gentlemen gave to these Officers what they pleased, which gratuitys were their chief dependance.

Afterwards, viz^{t}, 5th February 1612, these breakfasts seeming inconvenient, it was ordered that they should be turned into a dinner,[2] and to be the second Monday in Easter Term.[3] [104.]

And at a Parliament held 24th April 1629 this ffeast was quite taken away, and their Masterships, in order to recompence the loss to those Officers who depended thereon, the 12th of June following, ordered that a Roll should be made in lieu thereof, whereto each Bencher should pay nine pence, each Barrister six pence, and others four pence per Term, which is at this time collected.

The Officers who partake of this Roll are the Chief Porter, the two Washpots,[4] the Panierman, and the Undercook.

N:B: The Chiefe Washpot is the same who is now called the Chief-Bench-Butler.

These equally divide amongst them the amount of this Roll.

Serjeants Roll [105.]

Is a charge laid on each Member of three shillings and four pence towards making up the sum[5] which according to the custom of the Society is presented to such gentlemen of this House as are promoted to the degree of Serjeants at Law. It was not heretofore customary to make any presents to Serjeants, except at a General [Serjeants Roll.]

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[1] Downing prefaces this paragraph as follows:

"The denomination of Calve's head Roll ariseth from hence, formerly it was "customary," etc.

[2] Downing here inserts "which could not be on the same day being Grand day, "therefore were appointed to be on the second Monday in Easter Term."

[3] Kirby omits this paragraph.

[4] Downing here inserts "(one of which is now by Order 5 Feby 1691 called Chief Bench Butler)."

[5] Downing inserts "of ten pounds."

Call, and not then except the person called was a Reader, as appears by an order of Parliament for that purpose 13th May 1627, which I no where find repealed, notwithstanding which the contrary in both cases hath been lately practised on the call of two gentlemen, now both Judges in the Court of Common Pleas, vizt, Mr Justice Denton and Mr Justice [1] Reeve; the former by a Private Call, Anno 1722: was no Reader yet received the customary present of ten pounds, the latter 'tho a Reader, yet privately called, received the same.[2]

[106.] [Organ and Lucidaries.] The Duty established for the support of the Organ, and to defray the expence of the Lights through the several Courts, is not a Generall Duty, but only paid by such gentlemen as are Called to the Barr, vizt. forty shillings each. But this Duty comes far short of the service whereunto it is appropriated.

Butler's Book

[Butlers Book.] Is a Duty paid towards the support of three other Officers of the House, vizt, the Second Butler, the Barr Butler and the Puisney Butler; towards which each Bencher pays seven pence halfpenny, each Barrister four pence halfpenny, and each Student three pence per Term.

N:B The collectors of this Duty receive no poundage as is paid for all the rest.

This duty seems to be antient perhaps from the first institution of the Society. In an Order 26th June 1590, which enforceth the payment thereof, it is expressed to be according to the Antient Order.

[107.] [Orders to Establish Unity etc.][3] I come in the next place to speak of the direct tendency of the several Orders (and the successive care of the Masters) to preserve Unity in (and increase) the Honour of the Society.

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[1] Downing substitutes Lord Chief Justice for Mr. Justice.

[2] Downing adds "and the last publick Call Easter Term 1736 nine gentlemen "of this house, and not one of them at the Bench, yet all received the usuall gratuity "of ten pounds."

[3] In Downing's MS. this subject is inserted earlier. See p. 119.

It appears from the Orders in many different times, that the Masters of the Bench were always solicitous to cultivate Unity and Amity in the Society, and to suppress the ebullition of juvenile tempers, which if not restrained would frequently effect the disturbance thereof.

In order to establish unity amongst the Members of this Society, there are several Orders that no Member shall be Councill against another Member, unless for consanguinity's sake, as 28th April 1° Elizth, 9th Febry 1654, etc.

The Orders to prevent the irregularities of Students are numerous as frequent occasions have called for them.

The Public Celebration of Christmas was at first a laudable [108.] design; the magnificence and order of which ffeasts undoubtedly very much redounded to the honour and credit of the Society, as the sports and pastimes usuall thereat solaced the minds of the Members in those times of recess from study and business.

But in length of time certain libertines, abusing the indulgencies of the Bench, turn'd the innocent diversions of those ffestivals into crimes and enormous abuses; which obliged the Masters of the Bench to forbid the Public Celebration of Christmas.

Personal quarrells the Masters have always endeavoured to prevent or suppress; and have ffrequently punished the aggressors according to the nature of their offence (especially quarrells within the Society and in their own presence, vizt, quarrells in the Hall) by fine, or expulsion, and oblig'd them to a publick submission; of which there are several instances.

The quarrel between Mr John Davis[1] and Mr Martin,[2] being [109.] something particular, and his resentment carryed to so high a pitch

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[1] He was afterwards famous as a poet and profound lawyer. In 1607 he was knighted, and after filling several offices with great credit, he was in 1626 appointed Lord Chief Justice of England, but died suddenly before installation. He is most famous for his poem, "Nosce Teipsum," dedicated to Queen Elizabeth. See Allibone's "Dict." and "Notable Middle Templars."

[2] Richard Martin, to whom Ben Jonson dedicated his "Poetaster." He was afterwards Recorder of London. Davis was provoked by Martin's raillery in connection with the former's dedicatory sonnet prefaced to "Orchestra." See "Dict. Nat. Biog."

as to involve him in the guilt of a direct contempt of the authority of the Bench, I have here related.

Mr Davis, being disobliged by Mr Martin, meditated revenge, and in the violence of his ffury, 9th February 1597, came into the Hall wearing a dagger, with his cloak and hat on, together with a servant and a stranger arm'd with swords; the Masters and the rest of the company sitting at dinner, Mr Davis, leaving the other two near the Hall door, went up to the lower end of the second table where Mr Martin sat, and taking from under his cloak a stick, then commonly called a bastinado, therewith struck Mr Martin three or four times on his head with such force as broke the stick in several pieces; which done he ran to the lower end of the Hall, and took the sword out of the hand of his servant, and therewith struck him several times more, and so went away, shewing in a menacing manner his naked sword.

[110.] This offence being of a very extraordinary nature, aggravated both by circumstance, time, and place, the Masters immediately ordered that he should be degraded and expelled never more to be restored.

The Order (after having recited the crime) is in the following words:

Ob quod insigne et incivile facinus, magno cum contemptu et cum summa totius Societatis offensione perpetratum, Judicio et censurâ omnium Magistrorum de Banco, idem Ioannes Davis, non solum omni Barræ dignitate, et omnibus aliis privilegiis ad id munus spectantibus, et ab omni dicendi et consulendi authoritate in jure potestate ubicunque deprivatur, verum etiam ab hoc Hospitio et Societate penitus excluditur, et amovetur, nunquam in posterum restituendus.

Notwithstanding the heinousness of this crime, the offender's penitence abated their Masterships resentment, ffor in Trinity Term 1601: at the last Parliament, he prefer'd a petition, which coming
[111.] after the Parliament was risen could not be considered: therefore at the first Parliament in Michaelmas Term he repeated his said petition in very submissive and penitential terms; whereupon it was ordered that he should be restored, performing such submission as

should be prescribed by four of the Masters in the Order named; the manner and form of which submission, being also very extraordinary, it may not be unacceptable to repeat.

On all Saints Day 1601, being Grand Day, when the Judges and Serjeants formerly of the Society were there, viz^{t}, Lord Chiefe Justice Popham, Lord Chief Baron Periam, M^{r} Justice Fenner, M^{r} Baron Savile, Serjeant Harris, Serjeant Williams, and several Masters of the Bench, who all came down to the Cupboard, Mr. Davis appeared before them in the presence of all the Company then in Commons, and expressed his acknowledgement and submission in the following words:

Whereas in Hillary Term last was three years, I John Davis came into this Hall (carryed with passion) did commit a great [112.] outrage by giving the bastinado and otherwise at dinner time unto M^{r} Richard Martin, wherein I did much forget the respect and duty which I owed to this Society, amongst whom I have had my chiefest education, and from whence I expect my best preferment; I do now humbly confess my said offence, and protest that I am unfeignedly sorry for it, and have been justly expelled the Society, and been deservedly censured otherwise therefore, and do desire the whole ffellowship to pardon mine offence upon this my submission, proceeding from my hearty repentance, promising hereafter to conform myselfe in duty and obedience as a sociable ffellow of so reverend a ffellowship.

Then turn'd to M^{r} Martin, acknowledged his incapacity to make due satisfaction, begging his acceptance of his acknowledgement, with promise of sincere affection for the future, which M^{r} Martin accepted.

OF THE COMMONS OF THE HOUSE AND THE METHOD OF COLLECTING THEM. [113.]

The method of providing Commons was originally by the Cook, under the inspection of the Steward; and the sum total of each week's provision cast up and equally divided amongst the gentlemen that week in Commons; and the odd sum over and above what would equally divide was carried on to the next week, and called

Apparels; and so from week to week and to the next term;[1] 'till afterward it pleased the Bench at the expiration of Vacation Commons such odd sum then remaining should be paid by the House.

The derivation of the word Apparels I am at a loss to account for, unless from the ffrench word Pareil, which seems aptly enough agreeing with the nature of the thing, as if it should be said they were uneven sums reserved (placer a pareil) to be placed to the next account of the same nature.

[114.] How much the indulgence of the House in Apparells hath been abused will be of no use to repeat. It may suffice to observe that by an Order 30th June 1693: no more than three pounds in any one week was to be left on Apparels, which Order now subsists and is observed.[2]

It will be needless to quote the several Regulations of Commons. I will only mention one of 29th January 1668: (as an observation of the method then used), whereby it is ordered that,

1: The Brewer should bring in beer one week, and carry away empty casks the next, and see that a month's provision of beer be always in the cellar.

2: The Cook should buy the meat, and that no more should be charged than what was really spent.

3: The Steward to take an account every meal of what is spent, either in the Kitchen, Buttery, or Cellar; and to see that no more is put in charge than what is really spent, and to see that what is left every meal be laid up in the Bings Larder etc., and that the broken bread be given to the poor.

[115.] 4: The Steward to collect the money payable for Commons from the Gentlemen, and to have a competent sallary for his pains; and the Officers to be at his command in the services aforesaid according to their several places.

5: The Head Butler to keep the paper of gentlemen in Commons, and to serve the Hall with cheese in Term time.

6: the Second Butler to wait on the Bench.

7: the Third Butler to serve as hath been used.

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[1] Downing adds "and Vacation Commons the like."

[2] Downing omits this paragraph.

8: The Steward's man to be the fourth Butler.

9: The Porter to attend from the blowing of the horn 'till the cellar-door is shut, and suffer no loose person at the Skreen or in the Cellar or Buttery during that time.

The House are now under contract[1] with the Cook and Steward to provide Commons at a certain rate, viz^{t}, thirteen pence each dinner, excepting Grand Day, which is to be one shilling more (as before observed), and the money so charged is paid to them out of [116.] the Treasury at the expiration of every Term, and recollected from the several gentlemen (on whom it is charged) by the Steward as he can get it, so that generally four hundred pounds or upwards remains in arrear to the House for Commons eaten.

The original method of payment of commons was weekly, as appears from an Order made the Tuesday after all Souls, in the tenth year of H: 8th to the following effect, that every Member who

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[1] Kirby says "The House were in 1735 under contract" etc., and at the end of the paragraph, instead of £400 or upwards, substitutes "large sums remain'd in "arrear to the House for Commons eaten."

Downing says "In the year 1724 the house enter'd into contract with the Cook "and Steward to provide Commons at a certain rate, viz^{t}, thirteenpence each day, "except Grand days, which are one shilling each more.

"The Commons so agreed to be supply'd are as follows

"Sunday, Boild mutton and broth, and roasted beef.

"Monday, Boiled mutton and broth, and boiled beef and roots.

"but this dinner, some few years since, was altered for loins of mutton roasted "and roots.

"Tuesday, Roasted beef

"Wednesday, Legs of mutton roasted.

"Thursday, Roasted beef.

"Fryday, Oyster, salt fish with eggs, pudings, or whitings, or beans and bacon, in "Trinity Term.

"Saturday, Shoulders of mutton roasted.

"On the Grand days in Michaelmas and Hilary terms, Plumb broth, minc'd pyes, "fowles roasted, beef and wine.

"In Easter and Trinity Term, Plumb broth, roasted beef and wine.

"N.B. The difference of the dinners on the Grand days in Summer and in Winter was because at the first the extra charge for the Grand days in Summer was but sixpence, but that was soon laid aside and all Grand days charged a shilling extra, tho the Summer dinners are seldom agreeable thereto.

"Every mess of roasted beef to weigh four pounds."

It may be interesting to compare the Commons supplied to the Members of the

shall be called by the Steward to pay his Commons or Repasts at the Cupboard the Sunday next after such Commons or Repasts are taxed, and shall not immediately pay the same, shall fforfeit for such ffailure twenty pence.

N.B. In cases of this and the like nature, the method of inforcing the payment of these ffines was by putting out of Commons, yet charging them with Commons, 'till they paid.

Afterwards Commons were collected every three weeks, as 21st May 1563: it was ordered that the Steward every Tuesday
[117.] three weeks at supper should bring his Roll of such as were indebted for Commons, and those who did not pay before the next Roll were

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Inner Temple at this time, from the following entry copied on one of the fly leaves at the end of MS. No. 2.

"1733. The Commons of the Inner Temple.

"Michas and Hilary Terms

"Sunday. Roast beef and plumb pudding.
"Monday. Neck of mutton boil'd, herbs, roast fowl, gravy sauce.
"Tuesday. Leg of mutton roasted, apple pye.
"Wednesday. Boiled beef, roasted ffowl and gravy sauce.
"Thursday. Roast beef, plumb pudding.
"Friday. Oysters, fresh fish, loin of mutton.
"Saturday. Shoulder of mutton, pickles.

"Easter Term

"Sunday. The same as above.
"Monday. Neck of mutton boil'd, 4 pigeons roasted.
"Tuesday. Leg of mutton rosted, gooseberry pye.
"Wednesday. Boil'd beef, fowl roasted.
"Thursday. Roast beef, asparagus.
"Friday. Fresh fish, loin of mutton.
"Saturday. Shoulder of mutton, pickles.

"Trinity Term

"Sunday. The same as above.
"Monday. Neck of mutton, herbs, two rabbits roasted.
"Tuesday. Leg of mutton and peas.
"Wednesday. Beans and bacon, loin of mutton roasted.
"Thursday. Roasted beef and pease.
"Friday. "Saturday. } The same as above.

	s.	*d.*
"The expense of Middle Temple each term . . .	16:	2
"Inner Temple	1:	1: "

to be put out of Commons, fforfeit their Chamber, and pay twelve pence to the House (N.B. the loss of their Chamber was then no other than the loss of the priviledge of lodging, since (as is before observed) none had any other property in their Chambers). If the Steward or his Deputy failed to bring such Roll he was to fforfeit twenty shillings and stand to the loss of the arrears; that the Steward every such Tuesday should attend an hour before, and half an hour after supper, to receive such Commons as should be paid, in default of such attendance, either by himselfe or deputy, he was to fforfeit three shillings and four pence; that the Chief Butler should make a separate Roll of the names of the gentlemen, or Steward so ffind, which Roll should be given to the youngest Butler to collect for the use of the House, he to receive the twelve [118.] pence per pound of what money he collected.

But this liberty having an ill effect, the arrears of three weeks not being so easily collected as of one, it was ordered 1st May 1573 that the Auditors for Commons were every week to examine the Roll of the former week, and report such as had not paid to the Masters, who shall cause proclamation to be made, and if they do not pay the same day they shall be expelled.

And that no person in arrear for Commons should leave their Commons unpaid without a penalty, it was ordered 9th February 1576: that the Chief Butler should not put any out of Commons without a Certificate of his payment[1] from the Steward: therefore how long soever they were absent, they were charged with Commons 'till they paid.

The original method of proclamation at the Cupboard was afterwards revived, except as to time, vizt, the Steward every three weeks stood at the Cupboard and called every gentleman by his name, who then came and paid his Commons, as appears from the [119.] Order 17th May 1588, where it is said, that every gentleman that shall not pay his Commons immediately after he is proclaimed shall be out of Commons, but whosoever shall endure the second proclama-

[1] The word "payment" is used in Downing's MS., but in MS. No. 2 "non" is added by interlineation in a different handwriting before the word "payment." "Non-"payment" is in Kirby's MS.

tion, which shall be in three weeks after, and shall not then pay, every gentleman shall be expelled never to be restored.

This method it was thought fit to change again for that of paying for their Commons at the end of every Term; and 11th June 1624: it was ordered that every gentleman failing so to pay his Commons should be kept in Commons four weeks nomine pœnæ and put in a Roll by themselves.

The Orders for inforcing the payment of Commons are very numerous, so that it is neither possible nor necessary to quote them.

[120.] OF THE SEVERAL OFFICERS OF THE HOUSE.

[The Treasurer.] The principal and supream Officer is stiled Treasurer, in whom is lodged the power of executing all Laws and Orders, and the care of the House during his Treasurership.

Whether this was the whole power of the Treasurer at the first institution of the Society doth not any where appear; 'tho there is some reason to imagine it was, as the following observations seem to imply.

The Admission of persons to the House and to Chambers in the House are now look'd upon as the Treasurer's prerogative, as also the placing or displacing of Officers, and the direction of repairs, improvements, etc., of which in their order.

As to Admissions to the House, they were originally entered in the Parliament Book, and as in some of them it is expresly said, ad
[121.] hoc Parliamentum N: N: admissus est, etc., it seems, that 'tho gentlemen might be Admitted by the Treasurer de bene esse, yet they were subject to the approbation of Parliament, and then, and not till then, they were entered in the Parliament Book. Yet if it was originally so, it doth not appear (by any books now extant) at what time the power of admitting gentlemen to the House was wholy lodged in the Treasurer.

As to the power of Admitting to Chambers, it was certainly in the Parliament only, 'till by an Order made at a Parliament held the Thursday before St Thomas' in the 13th year of Hen: 8th it was placed in the Treasurer alone.

As to the placing and displacing of Officers, I do not find it ever was the Treasurer's prerogative, 'tho it seems to be now generally admitted.

The constitution of Officers at all times by Order of Parliament [122.] seems to contradict this received notion; but the express words of an Order made 6th Febry 1606: puts it past all dispute; which Order I find no where repealed, or any other order made whereby the efficacy of this is either taken away or diminished.

The Order is as followeth:

It is declared and adjudged by the Masters of the Bench in this Parliament that the gift and bestowing of Offices, or placing or displacing of Officers, doth belong to the Bench and not to the Treasurer without the assent of the Bench. Nevertheless the Treasurer in the absence of the Bench may place an officer de bene esse, if need require, which nevertheless is to be allowed or disallowed by the Bench, as they shall think fit, the next term after: and that the Under Officers shall succeed the one the other of them, if the Bench think them sufficient, and no strangers to succeed in any of their places, unless it be for insufficiency or refusal.

As to the direction of repairs and improvements, it seems prob- [123.] able that originally it was only in execution of the Orders of Parliament, except where the urgent necessity of repairs in the intervals between the Parliaments was such that they could not stay for the direction of the Bench.

And that the Treasurer should not extend these necessitys beyond their designed limits, there are several Orders to restrain him, particularly that of 29th January 1685, whereby it is ordered that if the Treasurer expend above ffifty pounds on any one work he shall bear the surplus charge himselfe.[1]

It was formerly belonging to the office of Treasurer to compound fforfeitures, ffines, and Absent Commons, as he saw occasion. This ('tho now not practised, since Custom (I conceive) not Order [124.] hath established a fixed composition) the present practice seems to

[1] The following words are added in a different handwriting: "By a subsequent "Order this restraint was made subject to one exception for necessary repairs." This addition is written into MS. No. 2

imply; for all compositions, tho' compounded in course are required to be signed by the Treasurer.

The Treasurer originally received all moneys belonging to the Society, and defrayed all charges accruing in his Treasurership, which is now done by the Subtreasurer only; of which more hereafter.

The Treasurer now authoriseth all payments made by the Under Treasurer,[1] viz^{t}, at the bottom of each bill orders the same to be paid, and signs his name thereto.

The Treasurer disposeth of all Chambers, Shops, etc., which fall to the House by death, fforfeiture, or otherwise, either by selling or letting them, and signs all leases by direction of the Parliament,

[125.] 'tho it hath been the opinion of the House that the Treasurer by virtue of his office hath power to let leases, as appears by the express words of an Order made 26th November 1613. In confirmation of a lease of a Shop near the Gate, granted by the Treasurer to one Hubbard[2] a Scrivener.

The Treasurer during his Treasurership takes place of all the Masters of the Bench,[3] and presides in the Parliament.

If any Chamber or Chambers fall to the House, the Treasurer hath power to make choice of which he pleaseth as his perquisite, or if he thinks not fit to take any such Chamber, or if no Chamber fall, he hath one hundred pounds allow'd out of the Treasury in lieu thereof.[4]

When this perquisite was first allowed to the Treasurer I do not find, but suppose it to have been from the time that Chambers became separate propertys.

[126.] As to the allowance of an hundred pounds out of the Treasury in lieu thereof, it seems to be of a later date, the first that appears to have received it was M^{r} Smith, Treasurer in the year 1683.

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[1] Kirby here adds "(after the same are by a late Order audited by a Committee "of the Masters)."

[2] Spelt "Hibbard" in Downing's and Kirby's MSS.

[3] Downing here inserts "(except at the Bench table where the Attorney and "Solicitor Generall and King's Councell take place of him)."

[4] Order 24th Nov. 1769 provides "That every person hereafter acting as Treasurer "of this Society shall, at the expiration of his office, receive the sum of £100, and "shall have no option of any Chamber that may happen to fall to the Society during "his Treasurership, instead of the said £100."

The Treasurer is chosen annually in Michaelmas Term, and taketh place at the rising of the last Parliament in that Term; and 'tho some Treasurers have continued much longer than one year, as will appear from the following list of Treasurers, yet an annual election I doubt not was originally established, as the earliest accounts extant seem to testify; ffor in the 16th year of Henry the 7th, John Brooke Esqr was chosen Treasurer, and at the expiration of his year was (quasi rechosen) appointed to continue one year longer at the special instance of the Parliament; and in the same manner continued a third year; so also others his successors.

The Treasurer is chosen from the Benchers[1] according to his [127.] standing, each taking the Chair (under the sanction of an election) in course (except the King's Attorney or Sollicitor General who have the preference of the Treasurership[2] the next year after they are so constituted), subject now to an Order made 17th June 1720, whereby every Master who shall be chosen Treasurer must have been two Terms in Commons next before his election, one week in each Term at least.

The following is a list of the Treasurers from the earliest account extant in the Society.

Treasurers Names	When chosen.
Wm Bollings Esqr	[3]
John Brooke Esqr	1501
Continued three years	
John Muscot Esqr	1504
Continued two years	
Wm Mordaunt Esqr	1506
John Fitz James Esqr	1509 [128.]
Thomas Jubbis Esqr	1511
Thomas Moore Esqr or More	1512
John Jennour Esqr	1517

[1] Downing says "from the Readers."

[2] Downing says "who have the preference of the Reader and Treasurership."

[3] Downing inserts "not known."

Sir Amisius Paulett Kn^{t}: 1520
Richard Lister Esq^{r}, Soll^{r} Gen^{l} 1522

How long M^{r} Lister continued Treasurer, or who succeeded him, doth not appear, there being an intermission of the Records of the Middle Temple from the sixteenth year of Henry the 8th to the 5th of Edw^{d} 6th, at which time the Treasurership of M^{r} Hadley expiring he was succeeded by

Mawdeley Esq^{r} 1551
Francis Morgan Esq^{r} 1553
Edw^{d} Windsor Esq^{r} 1555
Tho^{s} Denton Esq^{r} 1556
William Hone Esq^{r} 1558
[129.] George Nichols Esq^{r} 1559
Edm^{d} Plowden Esq^{r} 1561

Continued 6: years Treasurer, and when M^{r} Andrews was chosen Treasurer the receipt and management of the money appropriated to the building the Hall was continued to him, till that building was finished in the Treasurership of M^{r} Smith.

Thomas Andrews Esq^{r} 1567
Mat: Smith Esq^{r} 1570
Edw^{d} Ameredith Esq^{r} 1574
John Popham Esq^{r}, Soll^{r} Gen^{l} 1580

and before the expiration of his Treasurership Attorney General, afterwards Lord Chief Justice.

Miles Sandes Esq^{r} 1588
James Morrice Esq^{r}, Attorney of the Courts of Wards and Liverys, dyed within the 1st year . . 1596
Mat: Dale Esq^{r} 1596
John Boys Esq^{r} 1597
[130.] Thomas Paget Esq^{r} 1598
Richard Johnson Esq^{r} 1599

Continued 1$\frac{1}{4}$ year

John Shurley Esq^{r} 1601

Geo: Snygg Esq^{r} 1602
Bar: Mann Esq^{r} 1603
John Cavil Esq^{r} 1604
Henry Haule Esq^{r} 1606
Richard Swaine Esq^{r} 1607
Richard Daston Esq^{r} 1608
Nich: Overbury Esq^{r} 1610
James Waldron Esq^{r} 1611
Thomas Stevens Esq^{r} 1612
W^{m} Bastard Esq^{r} 1613
John Jermy Esq^{r} 1614
Francis Tate Esq^{r} 1615
Sir Laur: Hyde Kn^{t} 1616
W^{m} Swanton Esq^{r} 1617
Edward Cason Esq^{r} 1618
John Strode Esq^{r} 1619
John Lowe Esq^{r} 1620
W^{m} Wotton Esq^{r} . . . . . 1621 [131.]
James Welsh Esq^{r} 1622
Thomas Barker Esq^{r} 1623
Richard Hadsor Esq^{r} 1624
Nich: Hyde Esq^{r} 1625
Sir Walter Pye Kn^{t}, Attorney of the Court of Wards and Liverys 1626
Thomas Ford Esq^{r} 1627
Thomas Trist Esq^{r} 1628
Thomas Grove Esq^{r} 1629
Thomas South Esq^{r} 1630
Robert Tanfield Esq^{r} 1631
Robert Thorpe Esq^{r} 1632
Thomas Mallet Esq^{r} 1633
James Franklin Esq^{r} 1634
Edw^{d} Whitaker Esq^{r} 1635
Richard Lane Esq^{r} 1637
W^{m} Conyers Esq^{r} 1638
Richard Townsend Esq^{r} 1639
Talbot Pepys Esq^{r} 1640

[132.] Richard Parker Esq^{r} 1641

Continued ffive years by reason the business of the House was interrupted by the Civil Wars.

John Puleston Esq^{r} 1646
Robert Hatton Esq^{r} 1647
Richard Pepys Esq^{r} 1648
W^{m} Hussey Esq^{r} 1649
Bart^{o} Hall Esq^{r}, Attorney of the Duchy of Lancaster 1650
Robert Reynolds Esq^{r}, Sollicitor General . . 1651
Edward Eltonhead Esq^{r} 1652
Sir Peter Ball Kn^{t} 1653
Job Dighton Esq^{r} 1654
Chaloner Chute Esq^{r} 1655
W^{m} Barker Esq^{r} 1656
Nich̃ Lechmere Esq^{r}, Attorney of the Duchy of Lancaster 1657
[133.] John Georges Esq^{r} 1658
John Page Esq^{r} 1659
Edward Bayshaw Esq^{r} 1660
Sir Jeffry Palmer Kn^{t}, Attorney General . . 1661
Sir Edward Turner Kn^{t}, Attorney to the Duke of York 1662
W^{m} Mountague Esq^{r} 1663
Bennett Hoskins Esq^{r} 1664
Thomas Lake Esq^{r} 1665
Anthony Barker Esq 1666
Fras: Hervey Esq^{r} 1667
Sir W^{m} Constantine Kn^{t} 1668
Tho^{s} Mundy Esq^{r} 1669
W^{m} Northey Esq^{r} 1670
Sir Fra^{s} North Kn^{t}, Soll^{r} General 1671
Tristram Conyers Esq^{r} 1672
Rich^{d} Wallof Esq^{r} 1673
Tho^{s} Rawlins Esq 1674
Sir Fra: Winnington Kn^{t}, Sollicitor General . . 1675
[134.] Anthony Collins Esq^{r} 1676

Alex^{r} Staples Esq^{r} 1677
Anthony Ettricke Esq^{r} 1678
Geo: Johnson Esq^{r} 1679
W^{m} Whitlock Esq^{r} 1680
Sir Francis Withins Kn^{t}. 1681
Edward Smith Esq^{r} 1682
Roger North Esq^{r} 1683
W^{m} Thursby Esq^{r} 1684
Sir Hen: Chauncey Kn^{t} 1685
Oliver Mountague Esq^{r} 1686
W^{m} Paulet Esq^{r} 1687
Sir Charles Porter Kn^{t} 1688
Sir Geo: Treby Kn^{t}, Attorney General . . . 1689
Sir John Somers Kn^{t}, Soll^{r} General . . . 1690
Tho^{s} Medlicot Esq^{r} 1691
John Orlebar Esq^{r} 1692
Paul Bowes Esq^{r} 1693
Roger Gillingham Esq^{r} 1694
John Entwisle Esq^{r} 1695
Fra: Morgan Esq^{r} . . . . . 1696 [135.]
Sir Richard May Kn^{t} 1697
John Proby Esq^{r} 1698
Sir Bar: Shower Kn^{t} 1699
Nat: Haggatt Esq^{r} 1700
Edw^{d} Northey Kn^{t}, Attorney General . . . 1701
Scory Barker Esq^{r}. 1702
Martin Ryder Esq^{r} 1703
Daniel Fox Esq^{r} 1704
John Whitfield Esq^{r} 1705
Thomas Lake Esq^{r} 1706
Sir Seb: Smith Kn^{t} 1707
Peter Broughton Esq^{r} 1708
Hum: Hetherington Esq^{r} 1709
Jo: Offley Esq^{r} 1710
W^{m} Ettrick Esq^{r} 1711
Thomas Burgh Esq^{r} 1712
John Viney Esq^{r} 1713

	W^m^ Piesly Esq^r^	1714
	Nich: Lechmere Esq^r^, Sollicitor General . . .	1715
[136.]	Henry Ludlow Esq^r^	1716
	Thos: Vernon Esq^r^	1717
	Simon Harcourt Esq^r^	1718
	Geo: Jones Esq^r^	1719
	Tho: Mulso Esq^r^	1720
	Sir Philip York Kn^t^, Attorney General . . .	1721
	John Stotford Esq^r^	1722
	John Raphson Esq^r^	1723
	Edward Jauncy Esq^r^	1724
	W^m^ Avery Esq^r^	1725
	John Welbere Esq^r^	1726
	Rich^d^ Agar Esq^r^	1727
	Thomas Reeve Esq^r^, Attorney of the Duchy of Lancaster[1]	1728
	Henry Partridge Esq^r^	1729
	John Anstis Esq^r^[2].	1730
	Sir Thomas Clarke Kn^t^	1731
	Edward Shelley Esq^r^	1732
	Charles Worsley Esq^r^	1733[3]

[137.] THE UNDER TREASURER

Is an Officer who (as the name imparts) acts under the Treasurer, receives all moneys accruing to the House, pays all wages, and defrays all expenses of the Society, keeping an exact account of the receipts and issues in the name of the Chief Treasurer; which

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[1] There is added in a different handwriting, "afterwards C. J. of Common Pleas."

[2] There is added in a different handwriting, "Garter K at arms."

[3] At the foot of this page, in a cramped and different handwriting, the names of the Treasurers are inserted for the years 1734 to 1747 inclusive.

Downing's MS. continues the list to 1738 (John Strange, Esq.).

The list in Kirby's MS. is continued to 1797 (Sir John Scott), but the writing after "Charles Worsley Esq. 1733" is different.

In MS. No. 2 the list is continued to 1752 (Thomas Bramston Esq.). MS. No. 2 also contains notes, in different handwritings, of descriptive particulars, marriages, dates of deaths, and other observations against some of the names.

account is audited (by as many of the Bench as please) on a day assigned to that purpose every Michaelmas Vacation.

The original method of auditing these accounts seems to have been by two of the Bench nominated thereto by an Order of the preceding Parliament, as the frequent nomination of two auditors of the Treasurer's accounts seems to testifye.

Afterwards, as appears by an Order 29th October 1641, the two Treasurers, vizt, the Treasurer whose account it was, and the Treasurer in being, together with the senior, or some other deputed Master, were appointed Auditors.[1]

The account so audited us'd originally to be declared to the [138.] Company in the Hall, as are the express words of an Order made at a Parliament held the ffriday next after St. Thomas in the tenth year of Hen: 8th, but in what manner it was so declared I do not find; the only conjecture I can make is that by the word Company is meant the Benchers in Parliament (which probably might at that time be held in the Hall for want of a more convenient place), consequently the method then used was strictly congruous with the present practice.

The business of the Under Treasurer seems to have been originally no other than as mentioned above; but now the Under Treasurer transacts all affairs of the House under the direction of the Treasurer, enters all Admissions both to the House and Chambers, is (quasi) Clerk of the Parliament, takes the minutes there made, and from them draws up the Orders, which (pursuant to an Order 26th November 1641) are by him presented to the Treasurer, and (being approv'd) are entered in the Book for that purpose, and read to the next Parliament.[2]

This Officer was not (as the former) from the ffoundation of the [139.] Society, but seems to have taken his original from the increase of business.

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[1] By Orders made in the years 1864, 1870, and 1886 the accounts are now audited annually by two Masters of the Bench, not being members of the Finance or Wine Committees, and two members of the Society not Benchers. The Auditors are appointed at the first Parliament of Hilary term, and the accounts are made up to the 31st December preceding.

[2] This paragraph is inserted by Downing immediately after the list of Sub-treasurers subsequently given.

The Treasurer himself used originally to receive all such moneys as were not collected by the Steward, viz^{t}, Pentions, Rents ffines of all sorts, and fforfeitures, 'till in the year 1524: Richard Lister Esq^{r}, then the King's Sollicitor General, having been Treasurer two years, was desired to continue the Treasurership another year, which he agreed to, and was accordingly rechosen; but, thinking the ffatigue of receiving the moneys too great, desired that some person might be appointed ad colligend et levand debita vice Thesaurar; accordingly M^{r} Whorwood was appointed thereto, which is the first appearance of an Under Treasurer.

[140.] From the example of M^{r} Lister, it is to be conceived, the succeeding Treasurers had their several Under Treasurers; each Treasurer recommending his own; ffor 'tho the intermission of the Records of the House for twenty six years prevents the tracing the proceedings of the immediate successors of M^{r} Lister, yet it appears when in the year 1551: M^{r} Mawdeley was chosen Treasurer, M^{r} Moseley was at his instance appointed Under Treasurer; and when, Anno 1556, M^{r} Denton was chosen Treasurer, M^{r} Garnans was appointed his Under Treasurer; Anno 1558: M^{r} Hone being chosen Treasurer M^{r} Ibber was appointed his Subtreasurer; and so successively each Treasurer had his proper Subtreasurer, 'till M^{r} Cole, who had been Subtreasurer during ffive of the eight years Treasurership of M^{r} Popham, was continued in the same station when M^{r} Sands came to be Treasurer: but on the third election of M^{r} Sands, viz^{t}, on the commencement of the third year of his Treasurership, M^{r} Cole relinquished it, and M^{r} Baldwin, one of the Butlers, was admitted a Member gratis, and by the consent and approbation as
[141.] well of M^{r} Sands Treasurer as the rest of the Masters, was appointed Subtreasurer, and so continued; ffrom whose time it is probable the several ffees and perquisites appropriated to the Under Treasurer were ascertained and allowed; but I find not any Order of Parliament whereby they, or any of them, were at first established.

Thus the Under Treasurer (who was at first an assistant only to the Treasurer in collecting the moneys) became, next to the Treasurer, the Chiefe Officer in the House, both as to profit and credit; having been a post for the last hundred years mostly enjoyed by Barristers of the House, viz^{t}: M^{r} Bayliffe, M^{r} Jones, M^{r} Buck, M^{r} Dowding

and Mr Mallett; after whom it was conferred on Mr Jackson a member under the Barr, and so hath continued.

The following is a list of Subtreasurers from the first institution of that office.[1] [142.]

Mr Whorwood 1524: Mr Lister's Subtreasurer, but the Subtreasurers to the successors of Mr Lister, as also those successors themselves, the intermission of the records prevent discovering 'till,

Mr Moseley 1551: Subtreasurer to Mr Mawdeley, Mr Morgan and Mr Windsor.

Mr Garnans 1558: Mr Hone's Subtreasurer.

Mr Smithes 1559: Subtreasurer to Mr Nicholls.

Mr Bavan 1561: Subtreasurer to Mr Plowden.

Mr Wrench 1567: Subtreasurer to Mr Andrews.

Mr Pagett 1570: Do to Mr Smith, also appointed Subtreasurer to Mr Ameridith, at the expiration of the second year of whose Treasurership, he relinquished.

Then

Mr Greenvill 1576: continued the four remaining years of Mr Amere- [143.]
dith's Treasurership, and was appointed Subtreasurer to Mr Popham, at the expiration of whose third year he relinquished it and was succeeded by

Mr Cole 1583: who continued the remaining five years of Mr Popham's Treasurership, and relinquished at the expiration of the second year of Mr Sands, as before observed; and was succeeded by

Mr Richard Baldwin 1591: ffrom whose time the Subtreasurer became a ffixed officer.

John Bayliffe Esqr 1619.[2]

Wm Jones Esqr 1653.[3]

Jas Buck Esqr 1658.[4]

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[1] Downing adds "to the present year 1739," but gives no names after that of Mr. Richard Brunker 1727.

[2] Downing adds "he through age being incapable of attending was succeeded by..."

[3] Downing adds "relinquished."

Downing adds "on whose death."

Joseph Dowding Esq[r] 1711.[1]
John Mallett Esq[r] 1711.[2]
M[r] Jas. Jackson 1717.[3]
M[r] Benj: Wilcock 1726.[4]
M[r] Rich[d] Bruncker 1727, the present Subtreasurer.[5]

[144.] As at first through increase of business the Treasurer imployed the assistance of an Under Treasurer, so afterwards the Under Treasurer for the same reason made use of the assistance of a Clerk; for whose subsistance certain ffees and perquisites were allowed (tho lately very much controverted as shall be observed farther on): and probably the same motive (which induc'd their Masterships heretofore to constitute the Subtreasurer an Officer of the House) viz[t] the more ready and advantageous management of the affairs of the House, may incline their present Masterships, or some of their successors, to constitute the Clerke in the Treasury Office an Officer of the House also (dependant on certain appropriated ffees and perquisites, either such as at present, which are mentioned hereafter, or such as to their Masterships may seem more proper), and subordinate, not subject, to the will of the Under Treasurer, which would not fail to produce its proper effect.[6]

[145.] The Fees taken by the Under Treasurer are as follow:

	li.	*s.*	*d.*
For entring every admission to the House . . .	0	10	0
For entring every admission to a Chamber . . .	0	10	0
For entring the order for the Call of each gent[n] to the Barr	0	10	0

[1] Downing adds "and dying soon after."
[2] Downing adds "relinquished."
[3] Downing adds "dyed."
[4] Downing adds "dyed."
[5] In MS. No. 2 the following addition, in a different handwriting, is made to the entry of Mr. Bruncker:

"On the 29[th] January 1747/8 he was cut for the stone; and died Febr: 1 "following; and Feb[y] 12[th] he was succeeded by M[r] Jn[o] Kirby; who died a lingring "consumpsõn July 23, 1750."

In Kirby's MS. after "M[r] Rich[d] Bruncker 1727" is added "M[r] John Kirby 1747 "the present sub Treasurer."

[6] There are now two clerks, Mr. Herbert Rowe and Mr. A. W. Hoskins, who are Officers of the House. Mr. Rowe was appointed to the Treasury in May 1865.

	li.	*s.*	*d.*
For a Certificate of each gent[ns] Call to the Barr . .	0	10	0
For every Certificate to transferr a gent[n] to any other Society or for any gent[n] to be Called to the Irish Barr	0	10	0
For every Bond to Come into Commons[1] . . .	0	2	6

Besides which he takes the following ffees, which 'till of late did [146.] belong to and were taken by the Subtreasurer's Clerk viz[t].

ffor every Bond to Come into Commons besides that above	0	2	6
ffor drawing every Surrender	0	2	6
For drawing every Affidavit	0	2	6
For drawing every Petition	0	2	6
For a copy of any Order	0	2	6

All which services are performed by the Clerk; and it is said these ffees were first impropriated by M[r] Wilcox Under Treasurer.[2]

The Under Treasurer is also allowed by the House one shilling per pound of all Duties received by him, whose receipt is not attended with any other ffee, viz[t], Pentions, Minister's Roll, Absent Commons, Serjeants Roll, ffines and fforfeitures for Vacations and Assignments, Omission of Exercises etc. and Rents, under which denomination is [147.] also included ffines on leases.

He hath also the same poundage from the Officers intitled to a dividend on the Calveshead Roll for all moneys he receives for them; which Officers also pay twenty ffive shillings per ann' towards making out the Rolls. But this last I am altogether of opinion was designed to be an acknowledgement of halfe a crown each Officer (they being five in number) every time they receive their dividend (which is twice a year) to the Subtreasurer's Clerke, whose business it is to

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[1] There is an entry added at the foot of this page, in a different handwriting, as follows:

"ffor pronouncing the oath to gent called to the Barr—for each . 0 : 1 : 0" This entry is not in MS. No. 2.

[2] Downing adds "he having obliged himself to allow M[r] Ballett then Clerk in "that Office 80£ per ann."

make out such Roll, 'tho now impropriated by the avaritious temper of some Subtreasurer or other.[1]

[148.] The Subtreasurer hath also the following annual allowances, viz^{t},

	li.	*s.*	*d.*
In lieu of Commons	20	0	0
ffor making Pencions and Minister's Roll . . .	2	10	0
ffor making Tables of Chambers and Absent Commoners Roll	2	10	0
ffor a Book of Receipts and entring receipts and tradesmens bills	2	10	0
ffor looking after and cleaning the Plate . . .	2	0	0
ffor pens, ink and parchment for Rolls . . .	2	0	0
ffor making and entring the Yearly Account . .	1	10	0
And when any Serjeant is called he hath for making a Serjeants Roll	2	10	0

[149.] The Subtreasurer also layeth claim to all old materials of what kind soever; but his title thereto is now disputed;[2] 'tho I find by assent of their Masterships in Parliament 27th June 1628: they were allowed him.

The Subtreasurer also now for overseering the workmen receiveth 10^{li} per ann; heretofore he used to be allowed two shillings and sixpence per diem for every day he attended; and in this capacity is stiled (tho improperly) Surveyor, since his employ is only to visit the workmen to see that they are at their work, without any regard either to the quantity or quality of the same, which is properly the business of an Overseer, and that of a Surveyor is to inspect the goodness of materials, to view and consult the best manner of performance, to examine the quantitys of work done and the prices charged etc.[3]

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[1] Downing adds "which opinion seems to be strengthened by considering that "the Under Treasurer is paid for that duty a consideration of fifty shillings a year by "the house."

[2] Downing adds "and a great deal of old stuff sold in the Treasurership of "Rich^{d} Newton Esq^{r} for the benefit of the house."

[3] Kirby inserts after this the following paragraph:

"But by an Order of Parliament made the [*sic*], at the time the present sub "Treasurer was elected into his office, this employment was given together with the

The Subtreasurer hath a Chamber under the stairs going down [150.]
to the kitchen (through part of which was formerly the passage to the Old Parliament Chamber) which is usually lett at eight pounds per annum.[1]

He hath also some other perquisites from Admissions to House, Chambers, etc.

The ffees appertaining to and heretofore taken by the Subtreasurer's Clerke are as follow, viz[t]:

	li. *s.* *d.*
ffor entring every Admission to the House, or a Chamber	0 : 2 : 6
ffor every Certificate of Call to the Barr, or to transferr	0 : 2 : 6
ffor writing every Bond to Come into Commons . .	0 : 2 : 6
ffor drawing every Surrender	0 : 2 : 6
ffor drawing every Petition	0 : 2 : 6
ffor every copy of any Order	0 : 2 : 6
ffor drawing every Affidavit	0 : 2 : 6
ffor every Search	0 : 2 : 6

the last of which is now disus'd; and the ffive next preceding are [151.]
taken by the Under Treasurer as before observed; so that the two first are at present the only ffees taken by the Clerke.

The Subtreasurer's Clerke receives also from the House every long Vacation a gratuity of ffive pounds.[2]

"£10 a year to M[r] John Martin, the Chief Porter of the Society, tho' great part of the "trouble thereof is still upon the Under Treasurer."

[1] Downing here inserts the following paragraphs:

"In the Treasurership of Humph: Brent Esq[r] the Under Treasurer was called to "read the oaths to gentlemen called to the Barr when they are sworn at the Square "Table, since which time he takes from each halfe a crown as a fee."

"He hath also a perquisite accruing from his admitting gentlemen to Chambers to "qualify them for their call, that is, when the Chambers so admitted to are the "property of the Society, or the perquisites of Officers of the house, he hath five 'guineas each."

[2] All officers or servants of the House are now remunerated by salary: Order 18th January 1861.

The Steward

Seems to have been an Officer of the House from the first institution of the Society.

His business was to provide such provision as appertained to the Buttery, to attend the Cook, to inspect and take an account of meat bought, to see that no more was dress'd than there was occasion for, and to take care of what was not dress'd, to keep a Roll of gentlemen in Commons and to collect the money due thereon.[1]

[152.] But in Michaelmas Term 1724: the Masters made a contract with the Steward and Cook that they should provide such Commons as were agreed on; ffor which at the end of every Term they should be paid a certain rate,[2] viz^{t}, thirteen pence each per diem, and one shilling each (over and above) for the Grand Day. So that the Steward now doth nothing in the immediate service of the House but make out the Rolls and collect the money for Commons eaten.

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[1] The following is here interlineated in Downing's MS.: "to carry up the first "dish to the Bench table, and to see the Hall served."

[2] In substitution for the rest of this page of the MS. Downing inserts the following statement: "as before observ'd, in which contract the Cook provided for the "kitchen, and the Steward for the buttery, at a certain proportion agreed between "them.

"In the year 1735, the Steward dying, the then Treasurer intending to amend the "frydays Commons, which were generally complain'd of, propos'd to the Cook (who "solicited to have the sole provision in his own hands) that if he would, instead of "whitings or puddings, provide a loin of mutton, he should have the sole provision "of Commons exclusive of the Steward, which he agreed to do, but in a very few "terms relaps'd into the former disagreeable Commons, making his promise of no "other use but to supplant the new Steward, and jostle him out of the small profit "arising from that part of the Commons which he us'd to provide.

"So that the Steward now doth nothing but bring up the first dish, see the Hall "serv'd, makes up the accounts of the gentlemen in Commons, and collects the money "from them.

"The Steward's salary us'd to be forty pounds per ann., but when the late "Steward dyed, and the Stewardship was given to the same person who was clerk "under the Sub Treasurer, it was thought proper to abate the salery to twenty pounds "per annum, especially for such time as they two places are held by the same person, "for was [*sic*] they again to be separated the Steward's income would not be a subsist-"ance, he having besides the twenty pounds per ann. only sixpence per pound for "mony he collects, and forty shillings per ann. for pens, ink, paper, and parchment, "and hath a Chamber 3 pair of stairs N° 3 in Elm Court.

"The present Steward is W^{m} Downing."

The Steward's present[1] allowance is fforty pounds per ann salary, six pence per pound of all moneys collected by him, and fforty shillings per ann. for pens, ink, and parchment.

The present Steward is M^r^ Richard Claypoole.[2]

The Chief Butler [153.]

Is an officer whose business is to take an account of the gentlemen in Commons, to enter their names with the time they are in Commons into the Buttery Book (from which the Steward makes out his Roll). It is also the business of this Officer to give notice to the Barristers of their turn to perform Term Exercises, to enter all ffines imposed for ffailures, and to assign the Senior Students to the Candle Exercise; and formerly it was the business of the Chief Butler to provide cheese for the Hall.[3]

The Chief Butler received the following ffees viz^t^

	li	*s.*	*d.*
For every gentleman coming into Commons[4] . .	0	2	6
For every Exercise performed in Term . . .	0	2	6
For every gentleman published	0	2	6

He also receiveth a sallary of twenty two pounds per ann. from [154.] the House, and is allowed for a Chamber four pair of stairs high on the south side of the stair case N^o^ 2 in the Middle Temple lane.

He hath as a perquisite the chippings of all the bread used in the Hall; and formerly had also the wast drink droppings of the tapps and broken drink in the Cellar.

He is allowed Commons during the Term.[5]

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[1] In Kirby's MS. "The Steward's allowance at that time was," etc.

[2] Some one has here added "Since Claypoole, M^r^ Downing and M^r^ Surridge have "been Stewards."

The office of Steward no longer exists.

[3] Downing adds "and now, tho he doth not provide it, he cuts the cheese, and "serves the severall messes therewith."

[4] Downing substitutes the expression "for every recipiatur o. 2. 6."

[5] Kirby omits this paragraph.

Downing adds the following further information:

"This Officer is now an assistant to the Steward in collecting Commons, comonly "call'd Stewards man, tho it seems by an Order of Parliament 29 January 1668 that

The Chief Butler opens the Pews in the Church as well in vacation as in Term time.

The present Chief Butler is Mr John Flemmon.[1]

[155.] THE CHIEF BENCH BUTLER

Was originally called Chief Washpot, but by an Order of Parliament 5th February 1691: he was appointed to be called as above.

The business of this Officer is to attend on the Masters of the Bench, as well in the Parliament Chamber as at the Bench Table, to provide wine,[2] and to take care of the plate and linnen used at the Bench Table, to give notice to all the Masters in town of the Readers' ffeast, the exit of a Serjeant, or any such like publick occasion.

To this Officer there do not belong any ffees:[3] his wages and allowances are as follow

	li	*s.*	*d.*	
Wages per annum	8	: 0	: 0	
Allowed out of a shop by the Gate confirmed by Order 27th November 1724 per ann'	4	: 0	: 0	
Gratuitys { Lent Vacation . . .	7	: 0	: 0	including 4li
Gratuitys { Long Vacation . . .	8	: 0	: 0	for cloaths & in lieu of Reading times.[4]

"the Stewards man and fourth Butler were then design'd to be concomitant Offices in "the same person.

"As Stewards man he receives from the house in the long Vacation
"a gratuity of 2. 0. 0
"and for every Exercise perform'd in Vacation a fee . . . 0. 0. 6

"he hath also an allowance from the Steward for this service, and claims also a "customary fee of one shilling on the payment of every first Bill."

[1] The present Chief Butler is Mr. H. W. Darling. He was originally appointed assistant or second butler in November 1860.

[2] Downing here adds "and tho lately the wine hath been sent in by the "Treasurer, yet it is under his care, and an account of the expence thereof is kept by "him, for his care wherein he is allow'd by Order one guinea per term."

[3] Downing says "The only fee belonging to this Office is one shilling from every "gentleman called to the Barr."

[4] Downing substitutes for the words in this column: "NB. in the Lent Vacāon "gratuity is included four pounds allow'd him for cloathing in Reading times."

He hath also a share of the Officer's Roll, a Duty granted in [156.] lieu of the Calves head ffeast, which amounts (communibus annis) to about ten pounds. He also hath as his perquisite the remains of the Best[1] Mess at the Bench Table, and bread for his own eating only; and if no Master dines in the Hall, he hath one part allowed him in lieu of the remains; and claims every thirteenth bottle of wine by him provided.

At present this Officer looks after the clock, and takes care to keep clear the place where the close stools are emptyed; for the former of which he receives per annum . . . 3li: 0s: 0d
ffor the latter . . . . . 1 : 10: 0

He is allowed Commons during the Term.[2]

And is one of the bearers of dead corps.

The present Chiefe Bench Butler is Mr Samuel Ryley.[3]

The Chiefe Porter [157.]

Is an Officer who hath the care of the several Gates of the House, to see them locked and opened in their proper time, he is to keep the several Courts clear of beggars and loose persons, to keep clean the Hall and the tables chairs and benches therein, to attend at the Hall Door in dinner time, to keep all loose and idle persons from the Skreen; to attend at the Benchers Pews in the Church,[4] and to walk before them in all publick processions. He attends at the Gate from eleven at night 'till they are opened in the morning, every night in the week except Saturday and Sunday night (which nights the Underporter attends in his stead).

By an Order of Parliament made the 15th April 1608: the Porter might call to his assistance in turning out beggars, etc. the Gardiner, the Panierman, the Turnbroach, the Under Cook and the Stationer in the shop at the Gate, and their successors, which service from the

[1] Downing calls this "the Upper Mess."

[2] This is omitted in Downing's MS.

[3] Mr. F. Edwards is now Bench Butler and Verger, but several of the more responsible duties of the office of Chief Bench Butler are now entrusted to the Chief Butler.

[4] Downing adds "on Sundays."

[158.] Stationer was I presume reserved in some lease granted him of his shop, but since no such service is now reserved, nor hath for several years past, we know not which shop that service was required from.

The Porter receives the following ffees.

	li.	*s.*	*d.*
From every gentleman on his coming into Commons[1] .	0	1	0
From every gentleman Published[2]	0	1	0
For every Exercise performed in Vacation . . .	0	0	6

He also receives the following wages and allowances

Wages per annum	15	10	0
Allowed out of a shop by the Gate (now in the tenure of John Lake[3]) by Order 27th November 1724: .	4	0	0
ffrom the tenant of the shop under the Gate now in the tenure of Ben: Motte[4]	7	4	0
Is allowed for candles at the Gate per annum . .	2	0	0
Gratuities { Lent Vacation	2	0	0
{ Long Vacation	2	0	0

[159.] Hath a ffifth share of the Officers (alias Calveshead) Roll amounting, as before observed, to about ten pounds per annum.

This Officer is also one of the bearers of dead corps.

The present Chief Porter is Mr John Martin.[5]

The Chief Cook

This Officer together with the Steward are under agreement to furnish Commons, as mentioned before.[6]

He receiveth from the House a salary per ann' of twenty pounds; he also receiveth an allowance for supporting and keeping up the affixed number of necessarys for the kitchen, as are particularly

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[1] Downing calls it "for every recipiatur."

[2] Downing adds the following further fee:
"for attending gentlemen (who come to the Barr) to the Masters Chambers 0 : 1 : 3."

[3] Kirby says "Mr Lake a Perukemaker."

[4] In Kirby it is "Mr Stevans an Hatter."

[5] Kirby adds "who is also Surveyor of the Works etc for which he has £10 a yr."
The present Chief Porter is Mr. George Balls.

[6] Downing says they "were under agreement to supply Commons at a certain rate, "but since the year 1735 the Cook supplys all himself, as observed before."

Churchyard Court (looking east) 1858

expressed in the Order for that purpose 28th January 1725, vizt ffifteen pounds per annum.[1]

He supplyeth the Hall and Parliament Chamber with ffire, of [160.] which (except so much as is Cast into Commons) and all extra provision, as Parliament Suppers, Audit Dinner, dressing the Readers venison, oranges and lemons, oyl, salery, etc., he chargeth the House by bill and is paid yearly.

The Cook, before the late contract, us'd to have the following perquisites, vizt, diet for himselfe and a man, drippings of meat dress'd in the kitchen, the kidneys of all loyns of mutton, and thirteen shillings and one apron from the Steward of the Reader's ffeast, when there were Publick Readings.

He hath a small Chamber adjoining to the kitchen as his perquisite, and now also enjoys a Garrett Chamber over it, heretofore assigned to one of the Butlers, as before observed.

The present Cook is Mr Wm West.[2]

The Second Butler [161.]

Is an Officer whose business is to attend at the Bench Table or in the Parliament Chamber, whenever the Masters are there.[3]

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[1] Downing sets out the order as follows:

"which Order is as followeth, Ordered that the agreement made the 6th of Dec- "ember last with Mr Joseph West cook to this Society (to provide the severall neces- "sarys and things hereunder mentioned at 15£ per añ (vizt) two chair women as "helpers to scour, meat bread and bear for them, candles, one chairwoman eight "weeks in the year, earth and sand for scouring and ashes, a labourer's work, for old "coal billetts and faggots for scouring, for bran for washing dishes and plates, for a "man to carry the plates into the Hall and fetch them into the kitchen twenty weeks, "brooms and mops, grinding of knives and cleavers, pipkins, pudding cloaths, & "kitchen cloaths, coal baskets, and flaskets, ladles, sives, brushes, whisks, spunges, "plate baskets, pails, tubs, sweeping the chimneys and the use of nine dozen of plates "& pasty plates, oil & vinegar, and all other things that are used to be cast into "Commons, to be answerable for eighteen dozen of plates (except five which are want- "ing), and the rest of the pewter hereunder mencõñd (vizt) nine seven pound dishes, "nine five pound dishes, one four pound dish, six three pound dishes, five two pound "and a halfe dishes, fifty one two pound dishes, twenty four tart dishes, twelve maza- "rines, four pye plates, twenty two pudding dishes, two cheese plates) be conferm'd, "and the said sum of fifteen pounds per ann. to commence from Michaelmas last."

[2] The present Cook is Mr. H. Gattliffe.

[3] The Bench Waiter, Mr. W. Darling, now performs this office.

It is also this Officer's business to take notice what Masters residing in the House are in town, and to deliver to the Washpot a candle for each to light on the stairs leading to their Chamber.

The fees taken by this Officer are,

	li.	*s.*	*d.*
ffrom every gentleman coming into Commons[1] . .	0	1	0
ffrom every gentleman that is Published . . .	0	1	0

His wages allowances and perquisites are as follow, viz[t],

Wages per annum	12	0	0
Gratuitys { Lent Vacation	2	0	0
Long Vacation	5	0	0

[162.] A Shop at the West end of the Hall, and a small Garrett Chamber on the South side of the Library staircase.

He hath as a perquisite all the remains of wax candles and the Second Mess at the Bench Table.

He hath a third share of the Duty called Buttery Book amounting (communibus annis) to about 12[li] per annum.

The present Second Butler is M[r] W[m] Moore.

The Third or Barr Butler

This Officer attends the Barr mess[2] and, with the assistance of the Panierman, all the South side of the Hall, and provides all the knives and fforks there used.

He takes care also of all the table linnen below the Bench, except the napkins us'd by the Barr mess.[3]

[163.] The ffees belonging to this Officer are:

	li.	*s.*	*d.*
ffrom every gentleman coming into Commons[4] . .	0	1	0
ffor every gentleman Published	0	1	0

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[1] Downing calls this "from every recipiatur."

[2] The Puisne Bar Butler and Verger, Mr. G. W. Gough, now performs this duty at the Ancients Table.

[3] Downing adds "which are dayly supply'd from the Bench table."

[4] Downing says "from every recipiatur."

His wages and perquisites are as follow:

	li.	*s.*	*d.*
Wages per annum	6	0	0
A shop at the West end of the Hall lett per annum for	9	0	0
Gratuitys { Lent Vacation	2	0	0
Long Vacation	2	0	0

This Officer hath a third share of the Buttery Book, amounting, as before observed, to about 12^{li} per annum.

He also with the Puisney Butler collects the Dutys called Pencions, Minister's Roll, and Calveshead Roll, for collecting which they receive 12^{d} per pound; they collect about 160 or 170^{li} per annum.[1]

He also claims a moiety of the remains of the exceedings bespoke by gentlemen on their first coming into Commons.[2]

The Puisney Butler [164.]

Is the Officer who keeps the Book of Moots, and enters therein all Cases brought by gentlemen on their Exercise.

This Officer is also to enter in a book the names of all gentlemen that are Published with the time of such Publication, the time also of their Call, and the names of the Readers before whom they are Published.

He waits also at dinner on the North side of the Hall.

It is the business also of this Officer to go to all the Masters residing in the House to acquaint them with the sitting of the Parliament.

He attends the Reader at New Inn, and assigns the four Senior Students to the performance of the Exercise there.

He keeps the paper of Commons in Vacation, and enters the [165.] names in the Buttery Book as Chief Butler pro tempore.

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[1] Downing adds "the poundage whereof to each is about 4. o. o."

[2] Downing and Kirby add "The present Barr Butler is M^{r} John Deer."

The fees appertaining to this Officer are:[1]

	li.	*s.*	*d.*
ffor every Exercise in the Hall	0	1	0
From every gentleman into Commons	0	1	0
From every gentleman published	0	3	4
For every Exercise at New Inn	0	2	6
His wages and allowances are as follow			
Wages per annum	6	0	0
Gratuitys { Lent Vacation	2	0	0
Gratuitys { Long Vacation	2	0	0

He hath a small Garret Chamber on the South side of the Library staircase.[2]

[166.] He hath the remaining third share of the Butler's Book, amounting (as before) to about twelve pounds per ann.; and together with the Barr Butler collects the Dutys, the poundage whereof amounts to about four pounds per annum each.

He hath the remains of the exceedings on account of every gentleman's Publication, and a moiety of exceedings on their first coming into Commons.

This Officer is also an assistant to the Steward, commonly called Steward's man, pursuant to an Order of Parliament 29th January 1668: which Order I have transcribed page 114 beforegoing.

As appurtenant to this part of his Office, he receives from the Steward for assisting him in collecting Commons such allowance as themselves agree upon, and from the House a gratuity of fforty shill-
[167.] ings every long Vacation; and claims from the gentlemen a customary ffee of one shilling on the payment of every first bill of Commons.[3]

N:B: This Officer is intitled to his ffees of one shilling for every Vacation Exercise and two shillings and six pence for every Exercise

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[1] In Downing the first three items are as follow:

"for every Exercise in Vacaõn	0.	1.	0
"for every Exercise in Term	0.	1.	0
"for every Recipiatur	0.	1.	0"

[2] Downing substitutes for this the following:

"He hath a small Chamber five pair of stairs high on the South side of N° 2 in "Garden Court."

[3] Downing's MS. omits the last two paragraphs.

at New Inn, 'tho the gentlemen do not perform but compound the said Exercises, by Order of Parliament 19th June 1702:[1]

The Under Cook

His wages and allowances are as follow

	li.	*s.*	*d.*
Wages per annum	5	0	0
ffrom the proprietor of the Chamber No. 3 in Middle Temple Lane, one pair of stairs South, in consideration of a cellar annexed to that chamber, an yearly rent of	2	0	0
ffrom the proprietor of a Chamber two pair of stairs on the North side of the same staircase per annum .	2	0	0

N:B: Those two annual payments are reserved in their admissions and received by this Officer.

He receives also a ffifth part of the Calveshead Roll, amounting, [168.] as before, to about 10li per annum.

He claims also the broken meat from all the tables below the Bench, except three in the Grand Week, and two every other week.

He receives also from the House annually

Gratuitys	Lent Vacation	0	10	0
	Long Vacation	0	10	0

This Officer is one of the bearers of the dead corps in lieu of the Turnbroach,[2] established by Order 6th February 1651.[3]

The Panierman [169.]

The business of this officer is to blow the Horn, an hour before dinner time,[4] to bring into the Hall pepper, vinegar and mustard, and

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[1] Downing adds "The present Puisney Butler is Mr Richard Harrison"; and Kirby adds "The present Puisney Butler is George Wood."

[2] Downing says "since there is no turnbroach."

[3] Downing adds "The present Under Cook is Mr. Arthur Burrough."

[4] This duty is now performed half an hour before dinner by the patrol warder in all the Middle Temple Courts, commencing at Garden Court.

oysters on ffish days, to ffurnish the table, and sett out the sideboard for the Barr mess, and to take care of the napkins, spoons, glasses, etc., belonging or appropriated thereto, and calls the exercise every Exercise day.[1]

The fees taken by this Officer are

	li.	*s.*	*d.*
ffrom every gentleman coming into Commons . .	0	0	6
ffrom every gentleman published	0	0	6
ffor every exercise in Vacation	0	0	6

His wages and allowances as follow

Wages per annum	5	0	0
Allowed annually out of a shop at the West end of the Hall	2	6	0
Gratuitys { Lent Vacation	2	0	0
Gratuitys { Long Vacation	0	10	0

[170.] He hath also a ffifth part of the Calveshead Roll amounting as before.

He hath the broken meat from three tables on the South side of the Hall in the Grand Week; and two tables the rest of the Term.

This Officer is also one of the bearers of dead corps.[2]

The Washpot

This Officer's business is to see the tables furnished with salt, and to draw beer for dinner, to light candles every night in the

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[1] Downing here gives the following information:

"The manner of calling the Exercise is thus. As soon as the Hall is all serv'd "with dinner he stands at the lower end of the Hall (having first gone up to the Bench "table and ask'd the Quatuer if their Masterships will please to have the Moot call'd) "and with a loud voice repeats the following words

"A pleader a pleader Mes Seigneurs touts.

"The Exercises, as well as this, us'd to be perform'd in law french, till the Act of "Parliament for rendring all law proceedings in English, then they were order'd to be "in English, but this remains unaltered, yet probably because the English words may "not be thought so apt."

As to the legal language see *ante*, p. 38.

[2] Downing adds "The present Panierman is Dan[l] Nye."

staircases leading to Benchers Chambers when they are in town, and to keep clean the Buttery.[1]

	li	*s.*	*d.*
The ffees belonging to this Officer are ffrom every gentleman coming into Commons	0	0	6
ffrom every gentleman Published	0	0	6
ffor every Exercise in Vacation	0	0	6

[171.]

His wages and allowances are as follow:

Wages per annum	5	10	0
Gratuitys { Lent Vacation	2	0	0
Long Vacation	1	0	0

He hath the remains of all the Bench Table, except the two first Messes (if any).[2]

He hath a fifth part of the Calveshead Roll,[3] and is one of the bearers of dead corps.[4]

Assistant Bench Butler

Is an Officer lately established to wait at the Bench Table.

He hath no ffees or perquisites, only ten pounds per annum wages, and his diet in the House in term time.[5]

The Gardiner [172.]

This Officer hath the care of the Garden, and is to keep clean the Courts adjacent thereto, viz[t], Garden Court, Fountain Court, New Court, and Essex Court.

He hath no ffees nor perquisites, only a salery of eighteen pounds ten shillings per annum.[6]

He is one of the bearers of the dead corps.[7]

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[1] Downing adds: "to receive every day in term a long towell from the Barr butler "and fix it upon the roller at the Skreen, and to return it again after dinner."

[2] Downing adds "and the remains at the Buttery table."

[3] Downing adds "and diet in term."

[4] Downing adds "The present Washpot is John Bibbye."

[5] Downing adds "The present assistant butler is Valentine Gooch"; and to this is added, in a different handwriting, "put in by M[r] Treasurer Strange in 1739."

[6] Downing adds "and hath lately a lodging given him in the Old Parliament "Chamber."

[7] Downing and Kirby add "The present Gardiner is John Clayton."

The Assistant Porter

Is an Officer appointed to keep clean all the rest of the House which is not assigned to the Gardiner. He assists the Porter in clearing the House from idle people, and watcheth at the Gate every Saturday and Sunday night.

[173.] He receiveth wages per annum 8li : 0s : 0d[1] and is allowed a shop at the West end of the Hall, paying an acknowledgement of 12: pence per annum to the House, which shop he lets to a barber for about 9: pounds per annum.

He hath a gratuity in Lent Vacation of fforty shillings, and in the long Vacation the same; and as Badge Porter he hath a gratuity in the long Vacation of ten shillings more.[2]

He is allowed fforty shillings per annum for looking after the Engine.

The Dishwasher

	li	*s.*	*d.*
Hath wages per annum	5	0	0
Allowed per annum for scouring pewter . . .	2	0	0
Gratuitys { Lent Vacation	0	10	0
Gratuitys { Long Vacation	0	10	0

[174.] [The Turnbroach.] The Turnbroach is now no established Officer of the House, yet (I apprehend) under that denomination the helper in the kitchen receives a gratuity of ten shillings every long Vacation.

[Washerwoman.] The Society pay for washing the linen us'd in the Hall thirty pounds per annum.

And to a woman for cleaning the Library and Parliament Chamber four pounds per annum.

[The Dustman.] And for carrying the ashes to the place appointed for laying them six pounds per annum.

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[1] Downing says "wages per annnm 10. 0. 0, Lent Vacation 2. 0. 0."

[2] Downing adds "as it is said, but I rather think it to have been a gratuity "which us'd to be given to the Scrape trencher, which is still continued, tho the "office is now useless. The present Under Porter is John Brooks."

Kirby says "The present Under Porter is Henry Jeffs." The present Under Porter is Serj. Maj. Thomas O'Connor, late of the Rifle Brigade and I.C.R.V.

There are nine Watchmen employed by this Society;[1] ffour of [The Watchmen.] which watch in their proper stations, viz[t], one in Essex Court, one in Elm Court, one in Garden Court, and one in the Hall Passage, from the time it begins to be dark 'till eleven o'clock; then other four watch, one in Brick Court, one under the Cloysters, one in Garden Court, and one in the Hall Passage, from eleven o'clock to the [175.] following hours, viz[t], between the tenth of March and tenth of September 'till ffive o'clock, between the tenth of September and tenth of November, and between the tenth of January and tenth of March, 'till six o'clock, and between the tenth of November and tenth of January, 'till seven o'clock, taking the said watches alternately, and the ninth man assists the Porter at the Gate every night from eleven 'till the Gates are opened.

These Watchmen receive each twenty pounds per annum for watching, and twenty shillings per annum each to buy candles.

The Library Keeper

Is (I think, not improperly) an Officer of the House.

He hath the care and charge of the Library, and is by an Order of Parliament made 13[th][2] June 1722, to attend there from nine [176.] o'clock in the morning 'till one all the year round, and between Lady day and Michaelmas from three to six in the afternoon, and from Michaelmas to Ladyday from two to four.

The erection of a Publick Library[3] in this Society, Anno 1641, gave rise to this Officer.

What salery was at first assigned to this Officer I do not find,

[1] There are now three Watchmen or Badge Porters and three Warders.

The duties of the Watchmen are to take charge of the gates of the Middle Temple Lane and New Court at night and on Sundays, to relieve the office messenger at the Treasury at midday, and assist the Warders in keeping peace and quiet. During part of the day they wear white aprons and silver badges, and stand about the Lane or Courts as messengers and porters.

The duties of the Warders are to open the gates in the morning, take charge of the main gate on the Thames Embankment, patrol the Courts, and act as Temple police. One of the three also acts as messenger at the Treasury.

[2] In Kirby's MS. "13[th]" is struck through and "8" substituted.

[3] Downing inserts "persuant to the Will of Robert Ashley Esq[r], dated 27 Sep[t] "1641, gave rise to this Officer."

but it appears, in the year 1658 he had 20li per annum, and an upper Chamber over the said Library for his habitation, which continued 'till the year 1697, when Mr Broughton (on the removal of Mr Godwin) was appointed Library Keeper, and received thirty pounds per annum salery, as all his successors have since done.

There is also an allowance of two chaldron of coals for the use of the Library.

The present Librarian is John Hele Esquire.[1]

[The Master of the Temple Church.]

The Rector of the Temple Church (usually called the Master of the Temple) receives an annual allowance from this Society of seventy pounds (as observed before page 103), and a very handsome
[177.] house for his habitation, which house is kept in repair by both Societys pursuant to reservation in the Patent.

Having observed before (page 3) that in the Patent there was reserved to the Master an annual allowance of seventeen pounds six shillings and eight pence from both Societys, and ten pounds per annum from each Society to the King, by which Letters Patent the King also covenanteth for himselfe and successors to pay to the Master of the Temple the annual stipend of twenty pounds, let us here remark, that the money payable from the Societys to the King being exactly the same as was payable from the King to the Master of the Temple, it was not at first paid into the Exchequer, but immediately from the Societys to the Master as appears from the
[178.] express words of the preamble to an Order of Parliament made 30th June 1609.

When it was first paid into the Exchequer, and whether or no from that time the Master of the Temple received from the Crown the twenty pounds per ann covenanted in the Patent (as he undoubtedly ought to do) I have not been able to learn.[2]

The Books of the Society make no mention of any ffees taken by the Master in the Church, except that he demands a ffee of ten

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[1] In the MS. "John Hele Esquire" is struck through, and the words "Mr Wm "Moore, who is also second Butler" are added. Kirby says: "The present Librarian "is Mr Wm Moore." Mr. C. E. A. Bedwell, our present Librarian, was appointed 1909.

[2] Downing omits this and the preceding paragragh.

shillings for every buriall, 'tho by an inquisition into his rights made by the Masters of the Bench anno 1706, it appears he hath no right to any fee when he attends himselfe only, when the Reader attends the funeral he hath a ffee of five shillings.

The present Master of the Temple is Doctor Thomas Sherlock, Lord Bishop of Bangor.[1]

The Reader [179.]

Whose business it is to read prayers in the Temple Church twice every day, receives an allowance from the Society of twenty pounds per annum.

He hath a Chamber in this House for his residence gratis.

N:B: The two Societys choose a Reader alternately; and it hath been customary for that Society (whose choice it is) to accommodate the Reader (by them chosen) with a chamber gratis.

The present Reader is the Reverend M[r] Tho[s] Broughton.[2]

The Afternoon Preacher

Is at present an Officer of this House only. The Inner Temple not concurring in the election, but imploying whom they please in their turn, and allowing such persons forty shillings each Sermon, the same which this Society pay to their settled Preacher.[3]

As there are ffifty four afternoon Sermons in the year, there [180.]

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[1] "Now of Sarum" added; and Downing says "The present Master is D[r] Thomas "Sherlock Bishop of Sarum."

Kirby says "sometime Lord Bishop of Bangor, afterwards Bishop of Salisbury, "and now Bishop of London."

The present Master of the Temple Church is the Rev. Henry George Woods, D.D.

[2] The present Reader at the Temple Church is the Rev. George Ernest Newsom, M.A. (Merton Coll. Oxon).

[3] In MS. No. 2 is added, in a different handwriting, "but now the Middle Temple "is returned to the old usage of appointing a Preacher alternately every other Sunday, "and no settled person for the whole year."

Downing substitutes for this paragraph the following:

"The Afternoon Preacher was lately an established officer of this Society, but "since the death of the Rev[d] M[r] Waite, who was the last fix'd preacher, the Treasurer "appoints whom he pleases to preach in the afternoon in the proper turn, for each "sermon the house pays forty shillings."

being a Sermon in the afternoon on the ffifth of November[1] and the 30th of January, so he receiveth from this Society ffifty four pounds per annum, he preaching alternately with the Inner Temple.

The present Afternoon Preacher is the Revnd Mr Thomas Waite.[2]

The Clerke of the Temple Church

Is an Officer of both Houses chosen alternately. He receives from this Society an annual allowance of ten pounds, and five pounds per annum in lieu of a shop, which formerly stood between the two doors of the Temple, and was enjoyed by the clerks, but pulled down on repairing that part of the Church.

The Clerke also receives the rent of a shop which stands under the Church porch, which is allowed to belong to this Society.[3]

The present Clerke is Mr John Booth.

[181.]

The Sexton

Is an Officer of both Houses chosen also alternately.

His business is to ring the bell twice every day for prayers (vizt at eight in the morning, and four in the afternoon, except on any ffestivall, when the bell is to be rung at nine in the morning), and to keep clean the Church, etc.

He receives from this Society an yearly allowance of ten pounds.

The present Sexton is John Silvester.[4]

The Organist

Is an Officer of this House only, each house at present having their proper Organist.

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[1] Kirby substitutes for "the ffifth of November" the words "on Christmas Day."

[2] The last two paragraphs are omitted in Downing's MS.

The last Afternoon Preacher is left blank in Kirby's MS., and he adds "But "now this Society is returned to the old usage of appointing a Preacher alternately "every other Sunday, and no setled Preacher for the whole year."

[3] This paragraph is omitted by Downing.

[4] The present Sexton is Mr. George Lyell. There is also now a Caretaker and Cicerone, Mr. A. F. Stone, who was appointed by both Societies.

He receives a sallary of twenty five pounds per annum.[1]

The present Organist is Mr John Pigott.[2]

The Organ Maker [182.]

Receives a salary from each Society for looking after the Organ and keeping it in tune.

The salary he receives from this Society is ten pounds per annum.[3]

The present is Mr Christopher Shrider.

The Clockmaker hath twenty shillings per ann. for looking after the Clock.[4] [The Clock-maker.]

The Referees[5]

Are not properly Officers of the Society, but are two Barresters, appointed by Charles Cox Esqr by Deed bearing date 30th September[6] 1637, chosen by the Treasurer of the Middle Temple, to be Referees, free mediators and composers, of such differences, suits, and demands, as shall be voluntarily submitted and refer'd by any person whatsoever to their hearing and determination, who are to give attendance in the Common Dining Hall of the Middle Temple two days in every week in Term time vizt, every Wednesday and ffriday, from two 'till five o'clock in the afternoon, freely without ffee [183.] received on either side, to hear and do their best endeavours to

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[1] Downing adds "out of which he pay [*sic*] a blower"; and Kirby adds "paying "thereout 40s a year to the blower."

[2] In Downing "Mr Vincent."

There is now one Organist only to do the duty of the Temple Church, and the appointment is alternate by the two Societies: Order 17th February 1814. The present Organist, Dr. Henry Walford Davies, Mus. Doc. (Camb.), F.R.C.O. (Lond.), was appointed 1898.

[3] In Downing's MS. it is "He did formerly receive ten pounds per ann from each "house, but about three years since it was reduced to halfe that sum."

[4] Kirby adds "The present is Mr Delander."

[5] See *ante*, p. 110.

[6] In Downing's MS. "30th September" is omitted and there is a blank, from which it might be inferred that Downing copied from a document in which there was a blank.

determine all such controversies, suits, and demands, as shall be submitted unto them.[1]

The said Mr Cox, as a recompence for their pains and trouble therein, settleth a certain messuage, and tenement adjoining, called Scales Inn (as before observed) on certain Masters of the Bench of the Middle Temple and their assigns in trust to pay to the said Referees twenty pounds per annum each.

This Scales Inn was situate in Maiden Lane, and fell in the dreadfull devastation anno 1666.

On the reedification of the City, part was taken from the West side of the ground whereon it stood to make a New Street now called Queen Street, for which the heir of Mr Cox receiv'd a recompence from the City, pursuant to the Decree of the Court of Judicature, and a lease of the remainder granted to him by the
[184.] trustees for ninety nine years to commence from Christmas 1668: reserving only the fforty pounds per annum for the Referees, which remainder lyeth in the angle included between Queen street and Maiden lane, having Queen street on the West and Maiden lane on the South.[2]

The said fforty pounds per ann. hath for a long time been paid by the agents of Mr Cox to the Referees, but the present Treasurer[3] hath ordered that care shall be taken that the money shall pass through the Treasury of the Middle Temple, as by the direction of the donation it ought to do.

The present Referees[4] are

Robert Green and William Lane } Esqrs

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[1] There is a footnote in MS. No. 1, in a different handwriting, that "The Deed "for this gift gives liberty to the Referees to act by themselves or their deputy."

[2] This paragraph is omitted from Downing's MS.

[3] Kirby substitutes for "the present Treasurer" "but Mr Treasurer Worsley in "the year 1733 order'd," etc.

[4] The present referees are Charles Haigh, Esq., appointed 17th June 1907, and Martin William M'Kellar, Esq., appointed 3rd April 1908. The appointment is for life or until resignation. The same gentlemen are two of the present auditors.

The following is an Abstract of the Annuall Wages and Allow- [185.]
ances paid to the several Officers aforegoing.

			li. *s.* *d.*
Subtreasurer Allowances[1]			35 : 10 : 0
Subtrẽar's Clerke Gratuity			5 : 0 : 0
Steward Salary			40 : 0 : 0[2]
Chief Butler Salary			22 : 0 : 0
Chief Bench Butler	Wages	8 : 0 : 0	31 : 10 : 0
	in lieu of rent	4 : 0 : 0	
	Gratuitys	15 : 0 : 0	
	ffor looking after the clock	3 : 0 : 0	
	Cleanin the close stool place[3]	1 : 10 : 0	
Chiefe Porter	Wages	15 : 10 : 0	25 : 10 : 0
	in lieu of rent	4 : 0 : 0	
	Gratuitys	4 : 0 : 0	
	ffor Candles at the Gate	2 : 0 : 0[4]	
Chief Cooke	Wages	20 : 0 : 0	35 : 0 : 0
	Allowances for Necessarys	15 : 0 : 0	
Second Butler	Wages	12 : 0 : 0	19 : 0 : 0 [186.]
	Gratuitys	7 : 0 : 0	
3d Barr Butler	Wages	6 : 0 : 0	10 : 0 : 0
	Gratuitys	4 : 0 : 0	

[1] Downing puts it

"Sub Treasurer's allowances, including the Surveyors . 45 : 10 : 0"

Kirby puts it

"Sub Treasurer's allowances . . . . . 37 : 10 : 0"

[2] In Downing's MS. it is £20.
In Kirby it is put at £40, but there is a marginal note "now discontinued."

[3] Kirby adds

"In lieu of the 13th bottle of wine . 1 gā per term . 4 : 4 : 0"

and makes the total of Chief Bench Butler's allowances £35 14*s*.

[4] Kirby adds "Sallery as Surveyor . . . . . 10 : 0 : 0"

				li. *s.* *d.*
Puisne Butler	Wages		6 : 0 : 0	12 : 0 : 0
	Gratuitys		6 : 0 : 0 [1]	
Under Cook	Wages		5 : 0 : 0	6 : 0 : 0
	Gratuitys		1 : 0 : 0	
Panierman	Wages		5 : 0 : 0	9:16 : 0
	in lieu of rent		2 : 6 : 0	
	Gratuitys		2:10 : 0	
Washpot	Wages		5:10 : 0	8:10 : 0
	Gratuitys		3 : 0 : 0	
Assistant Butler	Wages			10 : 0 : 0
Gardener	Wages			18:10 : 0
Assistant Porter [2]	Wages		8 : 0 : 0	14:10 : 0
	Gratuitys		4:10 : 0	
	Looking after the engine		2 : 0 : 0	
Dishwasher	Wages		5 : 0 : 0	8 : 0 : 0
	Scouring pewter		2 : 0 : 0	
	Gratuitys		1 : 0 : 0	
[187.] Turnbroach	Gratuity			0:10 : 0
Washerwoman	Wages			30 : 0 : 0
Woman for cleaning Library and Parliament Chamber	Wages			4 : 0 : 0
Dustman	Wages			6 : 0 : 0
9 Watchmen	Wages		180 : 0 : 0	189 : 0 : 0
	for candles		9 : 0 : 0	
Library Keeper	Salary			30 : 0 : 0
Master of the Temple	Allowance			70 : 0 : 0

[1] In Downing's MS. the gratuities are stated to be £4.

[2] In Downing's MS. the entry is

"Under Porter & "Badge Porter

Wages	10. 0. 0		
Gratuitys	2. 0. 0		
looking after the engine	2. 0. 0		14 : 10 : 0"
Gratuity	0. 10. 0		

			li. s. d.
Reader	Allowance		20 : 0 : 0
Afternoon Preacher[1]	D°		54 : 0 : 0
Clerke	Wages . .	10 : 0 : 0	15 : 0 : 0
	in lieu of rent .	5 : 0 : 0	
Sexton	Wages		10 : 0 : 0
Organist	D°		25 : 0 : 0
Organ maker	D°		10 : 0 : 0[2]
Clockmaker	D°		1 : 0 : 0
			775 : 6 : 0

Here it may not be improper to take notice of the other annual [188.] expences of this Society viz[t]

	li. s. d.
For the new River Water	10 : 0 : 0
For lamps from 1[st] September to 31[st] May . .	120 : 11 : 6[4]
ffor wine expended in the Hall	168 : 0 : 0[5]
Land tax at 2*s.* per pound[6]	99 : 10 : 0
Window tax	15 : 0 : 0
Expences in the Church	7 : 10 : 0
Exposed Children	25 : 0 : 0[7]
Repairs	750 : 0 : 0
Subtreasurer's Poundage	65 : 0 : 0
Steward's Poundage	14 : 0 : 0
Incident Charges	30 : 0 : 0

Tho most of these last sums are variable, con-

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[1] This is omitted in Downing's MS. [2] In Downing's MS. it is £5.

[3] Downing adds "Hence it appears that the annuall expence of the house in "Officers amounts to 702 : 6 : 0."

[4] In Downing's MS. it is £128. [5] In Downing's MS. it is £140.

[6] Kirby says "Land tax at 4[s] in the pound . . . . 199 : 0 : 0."

[7] In Downing's MS. this is £30. See Introduction to Middle Temple Records Cal. p. xxii. The Temples seem to have been constituted a *crèche* for deserted infants, the heartless parents relying on the benevolence of the Societies. The last of the Temple Foundlings is said to have been Mary Ann Littlefield, who died in 1865, and the original of "Miss Flite" in Dickens's "Bleak House."

sequently the computation only by conjecture, yet (communibus annis) they nearly amount as above.

Hence it appears that the annual expence of the Society amounts to 2079li : 17s : 6d . . . . . 2079 : 17 : 6[1]

[189.] Having thus computed the expences, let us consider whence those expences are defray'd. But as few of the branches of the income of the Society are certain I can only make the following computation:

	li.	s.	d.
Suppose 48:[2] English gentlemen are admitted in a year, their ffines will be	192	: 0	: 0
And 24: Irish gentlemen	120	: 0	: 0
Admissions to Chambers	148	: 0	: 0
Rents	186	: 13	: 0[3]
Dutys	1260	: 0	: 0
Readers Money	200	: 0	: 0
Interest of S. S. Annuity Stock at present . .	220	: 0	: 0[4]
Burialls	5	: 0	: 0
	2331	: 13	: 0[5]

But the foregoing number of admissions is more than the last three or four years have produced.

Thus it appears that the income somewhat exceeds the disbursments in the ordinary course of affairs, which surplus is reserved

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[1] There are some notes at the foot of the page in a different handwriting, partly illegible, of items of expenditure.

Downing puts the total expense at £1,991 6s.

[2] In Kirby's MS. there is a marginal note, "computation in 1733," but the computation is made of "36 English gentlemen," amounting to £144, and over the figure 36 is written "48 in 1733." In other respects the computation is the same as in MS. No. 1, except as to the interest on the S. S. Annuities.

[3] Downing puts the rents at £237 19s. 6d.

[4] Kirby says "£6800 old S. S. Annuities at present £272," and there is in a different handwriting the following note at the end of the items:

"N. the Capl Stock of Old S: S: A: is now increas'd to 8,000."

[5] There is a note in a different handwriting at the foot of these items: "Omitted "ffines, compositions, absent cõmons post 197."

Downing's total is £2,382.

at interest in order to defray any extraordinary charge that may occur. [190.]

When any extraordinary expence hath been incumbent on the Society, which the cash they had in stock was not sufficient to defray, it hath been usual to raise it from the Members either by increase of the Pensions (as before observed for nine years on account of building the Hall), or by a General Taxation, which was also on the same account, or by a Loan, as it was appointed by Order of 8th February 1570: as followeth

Quia aulæ et cætera ædificia de novo incept̃ mora trahit periculum, multoque ære alieno involvitur societas, quanquam summæ societati debitæ multo excedunt summas quas societas debet, tamen quia diu erit ante leventur, et de multis desperamus, pro expedita resolutione pecuniæ extraneis debitæ, ordinatum est quod quilibet bancarius mutuo det thesaurario tres libras, quilibet extra barrister, attornatus communis, et officiar̃ in aliqua magnar̃ curiar̃ quadragint solidos, quilibet alius hujus societatis viginti solidos, quam cito fieri possit, ante ffestum Ascensionis Domini; hæ vero summæ voluntariæ solventibus resolutierunt, quam cito poterit postquam perficiuntur nova edificia, et antiquiora debita soluta, eo ordine quo sunt seriatim receptæ. [191.]

Or by a voluntary subscription as the Treasurer was impowered to receive for Seats in the Church 25th April 1662:

Having treated of the revenue and described the hereditary possessions of the Middle Temple, I come in the next place to take notice of the other possessions thereof.

The value of South Sea Annuity Stock belonging to this Society is very well known to all persons concern'd, which is no inconsiderable (and hath of late years been an improving) ffund.

The Plate in the possession of this Society for service of the Bench Table, etc., is as followeth: [192.]

I have here taken notice of the Donors of such as hath been given and the Inscriptions thereon.[1]

[1] A list of presentation plate and of the other plate and articles of interest is inserted in Appendix VI. There is, however, one gift which, assuming it was received,

Species of Plate.	When given.	Inscriptions.
One large Chalice gilt containing about three quarts	1663	Henricus Barker Armiger Adsocius de Banco Medij Templi hanc Chalice in eidem Societati dedit anno 1663.
Another containing about a gallon	1664	Donum Roberti Henley Militis Anno Regis Caroli Secundi decimo sexto annoq; Dñi MDCLXIV.
[193.] Another containing about 3: quarts		Edmundus Sanders Miles Capitalis Justiciarius Angliæ suæ Societati Medij Templi dono dedit.
One large Bason about 2: feet diameter and an Ewer thereto containing about 3: quarts	1678	Ex Dono Roberti Offley Armigeri nuper unius Magistrorum de Banco Societatis Medij Templi Anno Domini 1678.

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cannot now be traced, but the sentiment of the testator is worthy of being restated here, as recorded in the Minute of Parliament holden 27th January 1625.

"Edward Ayleworth's Gift:—Amonge all the persons and places where I have "bin knowne and beloved, I maye nott forgett the place of my first education, to "whome I accompte, next unto God, my poore estate most bound unto. I meane "that worthye and honorable Society of the Middle Temple, where I have bin a longe "resident and well beloved, and their loves to me not lost, being the most auntientest "nowe of any in that Howse left alive to my knowledge. I doe nowe with my last "breath give to the Benchers there nowe and to come of that my nurseing mother, "one cupp of guilt plate to the value of ten poundes for a signe that once I lived "amongest them and loved them. About the brim of which I will have these words "circumscribed, viz: Ultimum vale Edwardi Aylworth, antiquis suis Medii Templi "amicis, with my armes faire graven on the outsyde thereof; and over all the outsyde "of the cupp I will have handes in hand graven and powdered all over in signe of a "farther farwell to my olde loving frendes. And when this cupp shall come to be "delivered, which I would have to be done by M^r^ Barton presently after my death, or "as soone as conveniently maye be, I would have this last clause of my will concerning "this cupp to be copied out, and to be put into the cupp under the cover, and soe to "be presented to the Treasurer of the House, whoe ever he shalbe at that time. And "soe the Lord be with them."

Species of Plate.	When given.	Inscriptions.
One large Pottage pott and Cover containing about 5: quarts	1683	Ex Dono Jacobi Astrey Militis unius Magistrorñ Cancellariæ A.D. 1683.
One large Monteth		Ex Dono Johannis Darnell Servientis ad Legem nuper unius hujus Honorabilis Societatis.
ffour large Salvers		Edmundus Sanders Miles Capitalis Justiciarius Angliæ Suæ Societati Medij Templi Dono Dedit.
One large Silver Dish about 22: inches Diameter curiously chas'd and gilt	1693	Ex dono Thomo Chute Armigeri Adsocij de Banco Medij Templi Anno 1693. [194.]
One large silver hand Tea Table about 21½ inches long and 15 inches broad, and engraved thereon the Arms of the Society and the Arms Crest and Mantling of the Donor	1729	Ex Dono pro honorabilis Arthuri Onslow Armigeri Comitiorum Rogatoris Regiæ Majestati Georgii Secundo e Secretioribus Consilijs et Unius Magistrorum de banco Societatis Medij Templi Anno Dn'i 1729.
Six large silver Candlesticks .		Ex Dono Mathei Johnson Arm. Clerici Parliamentor.
Two large silver Cups with Covers, on which are engrav'd the Arms of the House and Arms of the Donor	1730	Donum Henrici Ludlow Armigeri Unius Magistror de Banco Societatis Medij Templi Anno Domini 1730.

Twelve silver Pottingers. [195.]
two silver Ladles.
three silver Casters.
twelve silver Salts.
One pair of silver Snuffers and pan.

three dozen silver Spoons.
three dozen silver fforks.
six middling silver Candlesticks.
twelve small D°.[1]

The Table Linnen belonging to the Society is as followeth:—

FOR THE BENCH TABLE[2]

Table Cloaths	Damask	12: yards long	2
		9: yards long	8
		7: yards long	4
		6: yards long	4
D°	Diaper		2

		Dozen.
Napkins	Damask	11 : 11
	Hugabuck	8 : 3
Towells fflaxen		6
Course Rubbers		9
Oyster Cloaths		2 : 6

[196.]

FOR THE HALL

Table Cloths	Hugabuck	32
	fflaxen	28
Long Towels fflaxen		14

This linnen is in the care of two of the Butlers, vizt. the linnen for the Bench Table in the custody of the Chief Bench Butler, and the linnen for the Hall in the custody of the Barr Butler. Heretofore the Hall linnen was appointed to be in the charge of the Chief Butler and the Bench linnen in the charge of the Second Butler, and (as appears by an Order of Parliament made the 12th October 1627:)

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[1] Downing adds
"Twelve small silver saucers—1734.
"There is a legacy of fifty pounds left by the Will of Charles Worsley Esq^r, who "dyed 28 Aug^t 1739 in order to buy a piece of plate, but that is not yet bought."
Added to this is a note in a different handwriting: "I bought a fine wrought cup "with it J. S." No doubt this note was made by Sir John Strange, who was Treasurer 1738-9.

[2] There are some slight differences in the list given in Downing's MS.

that there should be an account taken of it yearly, that the lop or decay thereof might appear; which method us'd always to be practised, 'till within four years last past it hath been disus'd, for what reasons I do not know.

Amongst these possessions may be also accounted the Arrears of the several species of Duties payable to this Society, which ('tho liable to the same ffate as all debts viz^{t} that some part of them may never be recovered, yet 'till such part is absolutely found to be irrecoverable) are to be brought into the account of cash. [197.] [Arrears of Dutys at Michâs 1733.]

The arrears as they stood at Michaelmas 1733: are as follows:

	li. *s.* *d.*
Pentions	2333:18:4
Minister's Roll	1669:18:6
Serjeant's Roll	100:0:0
Absent Comons 3118^{li}: 5^{s}: 3^{d}. The Customary Composition whereof is	1719:2:6
ffor ffines and fforfeitures in Vacations and Assignments compounded	343:16:2
Rents	211:17:9
ffor Commons eaten	419:16:4
Total due to the House	6798:9:7
Besides which there is in arrear to the Officers intituled to a Dividend of the Calveshead Roll	*li.* *s.* *d.* 557:0:6
And to the Butlers intituled to the Butlers Book	418:1:10
So that there are Dutys etc. in arrear to the House and the Officers thereto belonging the sum of	7773:11:11

[198.]

From the foregoing observations will appear the expence in this Society attending any gentleman in the prosecution of his studys to and attainment of the degree of the Utter Barr, viz^{t}: [Expence to qualify for the Bar.]

	li. *s.* *d.*
His ffine and ffees of Admission	4:14:6
his Bond to come into Commons	0:6:6
ffees to the Officers in the Hall on D^{o}.	0:7:6

	li. *s.* *d.*
Exceedings at discretion, suppose	0:15:0
[199.] Eight Terms Commons eaten or not . . .	6:9:4
Six years Duty (which is the time of standing appointed for each gent[n] to be called to the Barr) viz[t] Pentions, Minister, Officers, and Butlers Book	3:18:0
ffor every Exercise if performed	0:2:6
ffor every Exercise not performed fforty Shillings ffine, and One Shilling ffee for the Seven Exercises to be performed in the Hall, and half a crown ffee for the two at New Inn [1]	
The charge of one Vacation Commons about , .	1:8:0[2]
Organ and Lucidarys	2:0:0
ffee for order of Call	0:10:0
Stamp 2[li]:0[s]:0[d], Certificate of Call ffee 0[li]:12[s]:6[d] .	2:12:6
ffees on his Call to the Officers	0:15:10[3]
Exceedings, suppose	0:15:0
	25:14:8[4]

[200.] But as every gentleman call'd to the Barr is obliged to have a Chamber in this House in his own name, therefore if the gentleman to be call'd hath not a mind to purchase one he may agree with those who make a practice of supplying gentlemen on these occasions in the following manner

The gentleman gives a bond to the proprietor to surrender his Chamber again in three years; or (if he should dye before he surrenders it) his heirs executors or administrators to pay to the owner of the Chamber so much money as the Chamber is valued at (because by his death the Chamber falls to the House); then the Chamber is surrender'd into the hands of the Treasurer in order to

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[1] Downing's MS. for this entry is as follows:

"Every Exercise not performed is compounded for forty shillings each, and the "respective fees, viz[t], for each of the Vacation Exercises and the Candle Exercise one "shilling, and for each New Inn Exercise halfe a crown."

[2] Downing puts it at £1 10*s*.

[3] Downing puts it at 18*s*. 6*d*.

[4] Downing makes the total £25 17*s*. 4*d*.

admit this gentleman thereto, which is accordingly done, The expence whereof is as followeth.

	li.	*s.*	*d.*
The customary gratuity to the proprietor is . . .	5	5	0 [201.]
ffine of admission to such Chamber is generally no more than	2	0	0
ffee of admission	0	12	6
Bond to surrender	0	6	6
	8	4	0

This is all the expence preceding his Call, after which every gentleman called being obliged to keep three years Vacation Commons, and perform two Assignments as before observed, and to keep two weeks Commons in every Term, whereof the Grand Week (that is the week in which the Grand Day falls) must be one,[1] if he keeps all his Terms and Vacations and performs all his Exercises, need be at no other charge than sixteen shillings and two pence each Term, and about eight and twenty shillings each Vacation for what he actually eats, and $3^{s}:6^{d}$ each Exercise to the Butlers.

N:B. There is New Inn Exercise besides as I apprehend, which ought to be added to the charge.[2]

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[1] Downing substitutes for this the following:

"This is all the expence preceding the Call, after which every gentleman called is "obliged to keep three years Vacation Commons, for every of which that he misseth "he forfeits five pounds, which is compounded for thirty-five shillings and six pence, "as is before observ'd, and is obliged whilst he keeps his Chamber either to keep "every term's Commons, that is, two weeks in each term (whereof the Grand week to "be one), or to compound them at nine shillings per term.

"His two assignments, neither of which ever fall within the three years, may be "compounded for forty shillings each, but if any gentleman doth not compound his "assignment till his turn of performing comes, which composition must be fourteen "days before the day of appearing, and if he fails in his performance, each failure of "which, there may be five in each Exercise,* can be compounded at no less than "twenty six shillings and eight pence."

[2] Kirby omits this N.B.

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* This word should be "Assignment."

[202.] But if a gentleman fforfeits his Vacations, keeps not his terms Commons, and fails in the performance of his Exercises,[1] it may amount to the following charge:

	li. *s.* *d.*
Nine Vacations forfeited 45^{li}.	
Compounded at	15 : 19 : 6
ffive ffailures in each Assignment $3^{li}:6^{s}:8^{d}$ each is $53^{li}:6^{s}:8^{d}$.	
Compounded at	13 : 6 : 8
ffive years Commons which is the soonest any gentleman can expect to have performed his assignments $16^{li} : 3^{s} : 4^{d}$.	
Compounded at	9 : 0 : 0
	£38 : 6 : 2

It is customary for gentlemen immediately after their Call to surrender their Chamber and compound their Vacations and Assignments which is done for $19^{li} : 19^{s} : 6^{d}$.[2]

[203.] [Burials.[3]] I before took notice, who were the bearers of the dead corps, viz^{t}, the Chief Bench Butler (who heretofore was called Chief Washpot), the Porter, the Panierman, the Second (now the only) Washpot, the Gardener, and the Under Cook, but not what ffees they were intitled to, viz^{t}, three shillings and four pence each man, and from strangers double.

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[1] Downing here inserts "in five years time (which is generally the soonest a "gentleman can perform both exercises), the charge besides the duties of $16^{s} : 2^{d}$ per "year may amount to the following sum," etc.

[2] There is a note at the foot of this page in a different handwriting, but copied into MS. No. 2, as follows:

"Note. If the Bond to the house is in this case delivered up which I suppose it "is not, then such composition is mischievous to the house, the yearly dutys being "worth near £12."

Kirby puts it as follows:

"Nine Vacations forfeited as above	15. 19. 6
"Two Assignments compounded at 40^{s} each . . .	4. 0. 0
	£19. 19. 6

"Exclusive of the Fees to the Sub Treăr for such Surrender."

[3] See *ante*, p. 69.

The Buriall ffees now taken are

	li.	*s.*	*d.*
The Master	0	10	0
The Clerke	0	5	0
The Sexton	0	2	6
The Bell	0	3	4
The Grave Making	0	3	4
For Registring	0	1	4
The Six Bearers	1	0	0
	£2	5	6

Whereto is to be added the price of the ground as followeth. [204.]

	li.	*s.*	*d.*
Churchyard	0	10	0
Rounds	1	0	0
Side Isle	1	10	0
Middle Isle	2	0	0
Vault	3	0	0

N.B: Strangers pay double the foregoing sums, except in the Vaults, where they pay for the ground only four pounds and ten shillings.

And in all cases if the corps is carryed into the Church, and the service there performed, the amount of the ffees will be twelve shillings and sixpence more."[1]

When a corps is buried out of the Parliament Chamber, the following ffees are paid

	li.	*s.*	*d.*
Chief Butler	0	13	4
four other Butlers each	0	6	8
2nd Butler for candles	0	4	6
Barr Butler for ffire	0	3	0

[1] Downing's MS. contains the following additional paragraph:

"The price affix'd for burying in the Isles is now of no use, it not being allow'd "to bury any there."

	li.	*s.*	*d.*
Under Porter for torch	0	0	6
D° for cleaning Par: Chamber	0	2	6

N:B: On the 12th August 1736 there were but thirteen coffins in the Middle Temple Vault including Mr Peers's who was buryed that night.[1]

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[1] The Middle Temple vault is 22 feet wide (north to south) including the recesses on each side, 15 feet 9 in. long (east to west), and 9 feet high. On the north side there are eighteen recesses, each being 7 feet in depth, and capable of holding one coffin, and there are two larger curved recesses above these and under the arched roof of the vault, each capable of holding three coffins. Of the eighteen recesses, eight are open and unoccupied and ten are bricked up. One of the curved recesses is bricked up and the other is open and unoccupied. There are no inscriptions on the north side of the vault. On the south side there is similar accommodation. Both the curved recesses are open and unoccupied, and of the eighteen lower recesses three are open and unoccupied and the others are closed. Seven of those closed are faced with marble and bear the following inscriptions, also coats of arms, but there are no other inscriptions.

HENRY TRIPP
died Sep: 14th 1835
aged 77.

JOHN GAMALIEL LLOYD ESQ.
died on the 4th January 1837
in the 68th year of his age.

ROBERT MATHEW CASBELL ESQ. Q.C.
died 2nd Jan. 1842
aged 70 years.

RALPH SMITH ESQ.
died March 7th 1845
in the 81st year of his age.

THOMAS SHEPHERD ESQ.
died 28th March 1846
in the 72nd year of
his age.

SIR WILLIAM OWEN BARLOW BART:
died Feb: 25th 1851
aged 76 years.

SIR ROBERT BRICKLEY COMYN
Knt:
died 23rd May 1853
in his 62 year.

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[1] The Indexes to the four MSS. are different, and are more or less independently prepared. The numbering of the pages to MS. No. 1 as here given is as inserted in the margin *ante*.

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APPENDICES

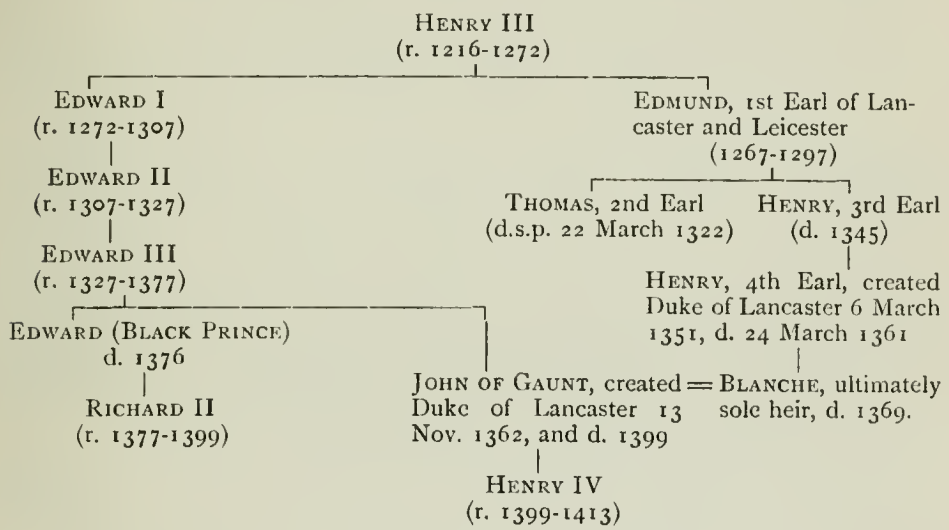
APPENDIX I

HISTORICAL EPITOME OF TITLE RELATING TO THE TEMPLE

APPENDIX I

HISTORICAL EPITOME OF TITLE RELATING TO THE TEMPLE

THE Manor of the New Temple, London, was of the Honor of Leicester. Upon the forfeiture of Simon de Montfort, who was slain at the battle of Evesham, 5th August 1265, King Henry III created his son Edmund Earl of Leicester and High Steward of England, and by Charter dated 30th June, 51 Henry III (1267), he granted to him the Honor, County, Castle and Town of Lancaster, and thus made him Earl of Lancaster. The subsequent descent is shown by the following pedigree:



Henry, the brother of Earl Thomas, in Parliament 1 Edw. III (1327), succeeded in obtaining a reversal of the attainder against Earl Thomas, and was restored to all his lands and honours, and became Earl of Lancaster and Leicester.

By Statute 1 Hen. IV it was declared that the King's eldest son should bear the title of Duke of Lancaster, and that the Duchy should not be absorbed in the dignity of the Crown, and by Charter

1 Hen. IV, the King ordained that the Duchy of Lancaster, and all his hereditary estates, should remain to him and his heirs for ever, and descend in like manner as if he had never attained regal dignity. After the attainder of Henry VI (1461), Parliament declared the Duchy to have become forfeited to the Crown, but at the same time an Act was passed to incorporate the Duchy and to continue the County Palatine, and by Statute 1 Hen. VII, the inheritance was vested in the King separate from the Crown of England and the possessions of the same.[1]

The Knights Templars are believed to have acquired the Manor of the New Temple some short period before the building of their Church known as the Rounds, which was consecrated in the year 1185, but from whom they acquired it, or what it was previously called, is not known. The Templars, however, held the Manor as of the Honor of Leicester under the Earl of Lancaster as their immediate lord.

1308, 11 Jan. Simultaneous arrest of all the Templars in England and Ireland. The Sheriffs are directed to provide them with maintenance out of the issues of their property (Rymer, under date 20th December 1307). The lands being thus taken into the King's hands so remained, as is shown by the repairing of the buildings by the Sheriffs [Cal. of Close Rolls 1308, p. 90], until the suppression of the Order by the Bull of Pope Clement V, dated 2nd May 1311 (*Bullarium Romanum*, Clem. V, Const. 3). By this Bull the lands and goods of the Order, except in France and Spain and Portugal, were granted to the Hospitallers. The suppression of the Order was confirmed by the Council of Vienne 22nd March 1312.

1312, 15 Dec. Charter to Aymer de Valencia, Earl of Pembroke, granting to him and his heirs the place and houses called New Temple of London, the land called "Fiketescrofte,"[2] by London, and all tenements and rents late of the said Templars in the city and suburb of

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[1] With regard to the title of the Duchy of Lancaster see Charters of the Duchy of Lancaster, by William Hardy (1845).

[2] Fickett's Field or Croft was the old name for Little Lincoln's Inn Fields, now New Square, Lincoln's Inn. Peter Cunningham says (Handbook of London): This

London, which have come to the King's hands for certain reasons, to be held by the said Earl and the heirs of his body from the King and the chief lord of the fee, remainder to the King and his heirs.

Mandate to William Servat and Roger le Palmere to deliver the said place and houses.

Mandate to Robert Tuck to deliver the said land (Cal. of Charter Rolls, 6 Edward II, p. 203).

Thomas Earl of Lancaster thereupon made claim to the New Temple, London, by escheat as immediate lord of the fee, and Aymer de Valence delivered possession to him (3rd October 1315).

" Rex remissionem et quietam clamantiam quas Adamarus de Valentiâ ad requisicionem Regis, fecit etc Thome comiti Lancastrie de Mr̃is de Novo Templo, London, et de om̃is terris, ten̄tis, et reddit', cum p̄tin', que quondam fuerunt Templariorum, in suburbiis London' et in com' Middlesex, et que sunt de feodo comitis Lancastrie ut de honore Leicestrie."[1] 8 Edw. II (1315).

On 22nd March 1322, Thomas Earl of Lancaster was executed for treason, and the New Temple, London, escheated to the King, who thereupon regranted the same to Aymer de Valence during his life. He died shortly after, in the year 1324.

By Statute in Parliament held 23rd February 1324, all the land, tenements, lordships, fees, churches, advowsons, and liberties, with all things to them belonging which were the said Templers at the time of their ceasing and dissolution, were assigned to the Prior and Brethren of the Hospital of St. John of Jerusalem in England to hold to them and their successors for ever of our Lord the King and 17 Edw. II (1324).

Field, also called the Templar's Field, is described in the earliest extant grant as "Terram sive campum pro saltationibus, turnamentis, aliisque exercitiis equitum "militumque regni nostri Angliæ, presertim vero equitum Sancti Johannis Hieroso- "limitan'." After the dissolution of the Order of Hospitallers Henry VIII granted it to Anthony Stranger, to hold in capite, under the description of "Totum ill' campum, "terram, et pasturam vocat' 'Fickett's Field' adjacen' messuag' vocat' Le Bell," etc.

[1] See Malcolm's Londinium Redivivum (1803), vol. ii, p. 287.

other Lords of the fees aforesaid by the same services by which the Brethren of the Military Order of Templers held the same at the time of their ceasing and dissolution.

Notwithstanding the Statute 17 Edw. II, the King granted the New Temple, London, after the death of Aymer de Valence, to Hugh le Despenser the younger, as appears by the Inquisition post mortem of the 14th March 1337 *infra*.

In November 1326 Hugh le Despenser the younger was executed for treason, and the lands of which he was seized in chief escheated to the King.

Inquisitions post mortem (*Chancery*) *Edward III*, *File* 6, *m.* 45 (*Former Reference. Esc.* 1 *Edw. III*, 88).

Middels[*exia*]

A.D. 1327, 14 March. Inquisicio facta coram Escaetore domini Regis apud ecclesiam Sancti Clementis Dacorum . xiiij . die Marcii anno regni Regis Edwardi tercii a conquestu primo per sacramentum [*here follow the names of the jurors*] juratorum. Qui dicunt super sacramentum suum quod Thomas comes Lancastrie tenuit in dominico suo ut de feodo die quo obiit quedam tenementa extra barram Templi Londonie de domino Edwardo nuper Rege Anglie patre Regis nunc ut parcellum honoris Leicestrie qui tenetur de domino Rege in capite per servicium essendi Senescallus Anglie. Et est ibi quedam placea super litus Tamisie ubi Comes Leicestrie aliquando habuit mansum suum[1] que nichil valet nisi in fructu cujusdam arboris qui valet . xij.*d.* quando accidit. Et sunt ibi de redditu assiso libere tenencium xxxvij. *s.* x.*d* ad terminos Natalis Pasche, Nativitatis Sancti Johannis, et Sancti Michaelis. Item est ibi quoddam mesuagium infra Barram quod aliquo tempore fuit Templariorum quod vocatur Novum Templum Londonie de quo predictus Comes obiit seisitus simul cum aliis rebus ad idem mesuagium pertinentibus; set dicunt quod post

[1] This would be Savoy House, formerly inhabited by Peter, Duke of Savoy, uncle to Queen Eleanor, wife of Henry III. After him it came to the Earl of Lancaster and was his seat. It was burnt down anno 1381, and rebuilt at the end of the reign of Henry VII. See Stow's Survey, vol. i, p. 235, 6th edition.

mortem dicti Comitis dominus Edwardus tunc Rex Anglie dedit mesuagium illud Adomaro de Valencia ad terminum vite sue, set postea dedit idem manerium Hugoni le Despensier juniori tenendum in feodo de capitalibus dominis feodi, post cujus mortem in manu domini Regis nunc existit, et nichil valet ultra sustentacionem domorum. Et sunt ibi de redditu assiso pertinente ad idem mesuagium infra Barram et extra iiij. *li* ix. *s* per equales porciones ad terminos predictos. Item sunt ibi xv acre terre vocate Fyketisfeld[1] et valent per annum xv. *s*. Item dicunt quod predictus Comes Lancastrie die quo obiit seisitus fuit de quadam placea terre super litus Tamisie inter curtilagium Episcopi Exoniensis et aquam Tamisie et continet in longitudine in parte occidentali circiter c. pedes et in parte Orientali circiter cxl. pedes, et in latitudine juxta aquam circiter cxl pedes et in boriali parte circiter cxxx. pedes, set dicunt quod Walterus[2] nuper Episcopus Exoniensis placeam illam ex concessione dicti Adomari usurpavit et manso suo ibidem includere fecit, et valet per annum ij. *s*. In cujus rei testimonium predicti juratores huic inquisicioni sigilla apposuerunt, Data loco die et anno predictis. Item dicti Juratores dicunt quod Henricus frater predicti Comitis est heres ejus propinquior et etatis quadraginta annorum.

On 25th January, 6 Edw. III, the King committed the custody of the Temple and of all the rents which formerly belonged to the Master and Brethren of the Order of the Temple in London and its suburb, and which were then in the King's hand by the forfeiture of Hugh le Despenser the younger, to William de Langeford[3] for a term of ten years, rendering £24 yearly (Cal. of Close Rolls, 18th May 1338, p. 416). 1332, 25 Jan.

[1] See *ante*, p. 220.

[2] In 1324 the Outer Temple was leased to the above-named Walter Stapleton, bishop of Exeter. He was murdered by the mob in Cheapside, 15 October 1326. It was called Exeter House until about the year 1549, when it came into the possession of William, first Baron Paget (Pat. 2 Edw. VI), and it was then called Paget House. For subsequent history see *ante*, p. 90.

[3] William de Langeford was clerk or chaplain of the prior and the chief servitor of the order and held pension for life from the treasury of the house of Clerkenwell and other life grants (Cal. of Patent Rolls (1336), p. 352).

From Rolls of account of Sheriffs of London, concerning the issues of lands and rents which belonged to the Templars in that City, then in the late King's hands from Michaelmas in the second year of that reign (1308), it was found that the total value of the New Temple and other lands which belonged to the Templars in that City was extended at £73 6*s.* 11*d.* yearly, exceeding the extent in the inquisition taken by the Treasurer and Barons by £46 17*s.* 11*d.*[1] (Ibid., p. 417.)

The Prior and Brethren of the Hospital of Saint John of Jerusalem in England on the death of Hugh le Despenser claimed that he held the New Temple, London, except the consecrated parts, by feoffment (Cal. of Close Rolls, 18 May 1338, p. 417),[2] and consequently those lands alone escheated to the King. Whereupon a writ was directed to the Mayor of London, the escheator, to inquire whether the Prior's manor of the New Temple had been annexed by Hugh le Despenser, and whether he had occupied the cemetery and enclosures of the Prior there, and other consecrated places annexed to the Church, and detained them against justice, etc., and that if the Mayor should find they had been unjustly occupied by Hugh he should cause them to be remitted to that Church by ascertained bounds and delivered to the Prior (Cal. of Close Rolls (1337), p. 72).

Miscellaneous Inquisitions (*Chancery*). *File* 129. *No.* 11.
(*Formerly I.P.M.* 10 *Edw. III.* (*2nd Nos.*) 66.)

1336, 26 Aug. m. 1.

Writ directing Reginald de Conductu Mayor of London to make a return of his proceedings in the delimitation of the consecrated parts of the Temple and their restitution to the Prior of the Hospitallers. Perth. 20 Aug. 10 Edw. III.

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[1] See *post*, pp. 226, 228.

[2] See further as to the feoffment Harleian MS. No. 830, set out in Malcolm's Lond. Red., vol. ii, p. 283 *et seq.*, relating to the dispute with Dr. Micklethwaite, Master of the Temple Church, anno 1634. As to the dispute see Cal. Middle Temple Records, pp. 233-239.

m. 2.

Original writ directing the delimitation, Berwick, 28 June, 10 Edw. III endorsed with a return that the restitution had been made in accordance with the annexed inquisition. 28 June.

m. 3.

Inquisicio capta coram Reginaldo de Conductu majore Civitatis Londonie et escaetore domini Regis in eadem civitate et Waltero de Mordon' et Radulfo de Upton' vicecomitibus ejusdem civitatis in presencia Johannis de Oxonia Ricardi le Lacer et Ricardi de Berkynggis Aldermannorum civitatis predicte, et Thome de Maryns camerarii Gyhalde ejusdem civitatis ac in presencia Willelmi de Langeford custodis domini Regis Novi Templi Londonie apud Templum predictum die Jovis proxima ante festum sancti Laurencii Martiris anno regni regis Edwardi tercii post conquestum decimo ad inquirendum si Cimiterium ac claustrum ecclesie Prioris Sancti Johannis Jerusalem in Anglia apud Novum Templum Londonie, et alia loca ibidem sint sanctificata et deo dedicata et eidem ecclesie annexa et si Hugo le Dispenser junior ea contra justiciam et libertatem ecclesiasticam occupasset et occupata detinuisset, et si cimiterium claustrum et alia loca predicta per forisfacturam dicti Hugonis ad manus domini Regis postmodum devenissent et adhuc in manu ejusdem domini Regis ea de causa existunt per sacramentum (*here follow the jurors' names*). Qui dicunt super sacramentum suum quod capella Sancti Thome ad hostium ante Templi predicti cum placea terre ibidem, sicut murus terreus se extendit usque ad veterem portam Templi predicti versus viam regiam, et similiter claustrum sicut murus lapideus qui incipit ad cameram vocatam cameram Episcopi Eliensis extendens se versus orientem, et postmodum ille murus extendens se versus aquilonem usque ad regalem viam sunt loca sanctificata et deo dedicata et eidem ecclesie annexa. Et dicunt quod quidam Rogerus Blom quondam nuncius Templi predicti de assensu et voluntate magistri et fratrum ejusdem Templi construere fecit quasdam domos super quandam placeam terre sic sanctificate et deo dedicate in anteriori parte prope viam regiam versus aquilonem pro illis domibus locandis ad luminaria et alia ornamenta ejusdem ecclesie sustinendenda [*sic*]. Dicunt enim quod loca predicta predictus Hugo 15 Aug.

injuste occupavit,[1] et dicunt quod racione forisfacture ejusdem Hugonis et non alia de causa in manu domini Regis adhuc existunt. In cujus rei testimonium juratores predicti huic inquisicioni sigilla sua apposuerunt. Data Londonie die et anno supradictis.

Exchequer (Lord Treasurer's Remembrancer) Memoranda Roll No. 102; *Communia. Hilary Term,* 11 *Edward III. Recorda. m. iij.*

1337, 16 Jan. Writ of mandamus to the Treasurer and Barons to inquire and certify in Chancery the proportion of the farm paid by William de Langeford chargeable upon the holy places in the Temple. Tower of London 16 January 10 Edward III.

9 Feb. On the Octaves of Candlemas John de Magdenstan appears for William de Langeford and John de Shordich one of the Barons is assigned to take an extent of the premises.

28 April. On the morrow of the Close of Easter John de Shordich returned an inquisition taken Tuesday after St Gregory (18 March) 11 Edward III, at the New Temple by oath of William de Topesfeld, Reginald de Thorp, John de Pelham and others who say:

Quod in cimiterio ecclesie Novi Templi Londonie in anteriori parte versus viam regiam, super terram sanctificatam et deo dedicatam, sunt tresdecim domus constructe ad luminaria et alia ornamenta dicte ecclesie invenienda et sustentanda quarum una que est ultra portam

[1] The following translation of the above parcels or description is to be found in Cal. of Close Rolls (1337), p. 72.

The Mayor and escheator certify "that the chapel of S[t] Thomas, at the door of "the hall of the Temple, with a plot of land there, as a wall of earth, extends to "the old gate of the Temple towards the highway, and likewise the enclosure, as a "stone wall, which begins at the chamber called 'the chamber of the bishop of Ely' "extending towards the east, and afterwards that wall extending towards the north to "the highway, are places consecrated and dedicated to God, annexed to the prior's "church, and that one Roger Blom sometime apparitor (nuncius) of that Temple "[with the assent and desire of the master and brethren of the same Temple]* caused "certain houses to be built upon a plot of land so consecrated in the front part near the "highway, towards the north, to let those houses to maintain lights (luminariis) and "other ornaments of that church, and that Hugh unjustly occupied the said places."

* Words in brackets omitted in translation by some slip.

introitus ad ecclesiam predictam valet per annum xl. *s* et alia domus que valet per annum quatuor marcas et undecim alie domus quarum quelibet valet per annum xvj. *s* et iste domus sunt dicte ecclesie rejuncte et, Priori Hospitalis Sancti Johannis Ierosolymitani in Anglia per breve Regis liberate et residuum cimiterii predicti nullius est valoris. Sunt eciam ibidem claustrum, Capella Sancti Thome, et quedam placea terre eidem capelle annexa cum una aula et camera superedificata que sunt loca sancta et deo dedicata et dicte ecclesie annexa et eidem . . . priori per idem breve liberata que majoris sunt reprise quam valoris. Summa valoris dictorum locorum sanctificatorum et deo dedicatorum et predicte ecclesie per certas metas et distinctiones predicte ecclesie rejunctorum et predicto . . . Priori liberatorum xiij. *li* ix. *s.* iiij *d.*

Item dicunt quod preter ista sunt ibidem in custodia Willelmi de Langeford infra magnam portam dicti Novi Templi extra metas et distinctiones predictas, una aula, quatuor camere una coquina, unum gardinum, unum stabulum et una camera ultra portam magnam predictam que sunt majoris reprise quam valoris. Sunt eciam in custodia dicti Willelmi octo shope, unde septem in Fletstrete et octava shopa in suburbio Londonie, scilicet extra Barram Novi Templi Londonie quarum quinque quelibet valet nunc per annum xiij. *s* que solebat valere per annum. xvj. *s* quando curie Regis fuerant apud Westmonasterium[1] et aliarum duarum quelibet valet nunc per

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[1] The Courts of Exchequer and Common Pleas were removed to York by a writ of 18th August 1 Edw. III (1327), the Chancery and the King's Bench had presumably been there since 23rd May, since a writ was issued at Pontefract on 23rd May, and another at York on 23rd May (see Cal. of Close Rolls, 1327, pp. 161, 162, 198). The Feet of Fines published by the Somerset Record Society (1898), show that the Common Pleas were held at York in the following terms:

1. Edward III	Michaelmas.
2. Edward III	Every term.
3. Edward III	Hilary.
8. Edward III	Every term.
9. Edward III	Every term.
10. Edward III	Every term.
11. Edward III	Every term.
12. Edward III	Every term.

The Exchequer and Common Pleas were then removed from York, as appears by

annum. xij. *s* que solebat valere .xv. *s* per annum tempore curiarum ibidem, et octava shopa valet nunc per annum .x. *s* que solebat valere per annum tempore curiarum .xij. *s*. Item sunt in custodia dicti Willelmi de redditu assise per annum in Fletstrete xiij. *s* iiij*d*. de tenemento Johannis de Bray Item xx *s* de tenemento Roberti le Dorturer ibidem Item. vij. *s* de tenemento Magistri Ricardi de Gloucestria ibidem. Item xliiij. *s* de tenemento Reginaldi de Thorpe ibidem. Item .xxx. *s* de tenemento . . . Episcopi Cicestrie in Converstane. Item .x. *s* de tenemento Ade de Marberer in Fletstrete. Item .xiij. *s* iiij. *d* de fabrica Petri de Senecampe in Londonia. Alia domus gardina redditus loca seu proficua dicti templi non habet idem Willelmus in custodia sua.

Summa valoris tenementorum et reddituum in custodia dicti Willelmi remanencium .xi. *li*. xvj. *s*. viij. *d* Curiis Regis existentibus extra Londoniam; set Curiis Regis ibidem existentibus, summa valoris tenementorum et reddituum in custodia dicti Willelmi remanentum est. .xij. *li*. .xix. *s*. viij *d* Quibus adjunctis supradicte summe .xiij *li*. ix *s*. iiij. *d*. est summa totalis annui valoris omnium locorum tenementorum et reddituum predictorum juxta particulas inde in inquisicione predicta annotatas. xxvj. *li*. ix. *s*.

It was further found on examination of the account of William de Baryng and James le Botiller, Sheriffs of London, for the Templars' land in London, Mich. 2 Edw. II to Mich. 3 Edw. II (1308-1309), that they accounted for £66 11*s*. 7*d*. for the beforementioned issues, viz.:

	£	*s*.	*d*.
Rent of assize	63	11	7
Sale of Fruit of the garden	3	0	0
The Temple itself being the abode of the brethren then unlet	6	13	4
Two places by the Fleet Mill given to the Black Friars	0	2	0
	73	6	11

an account of the Sheriff of York on the Pipe Roll of 12 Edward III (P.R.O. List of Foreign Accounts, 1900, p. 98).

Writ to the Treasurer and Barons directing them to remit £12 4*s.* 1*d.* of William de Langford's rent, Stamford, 1 June 12 Edward III. *Sicut alias* Stamford, 19 March 12 Edward III. 1338, 1 June (*sic*, q^r Jan.)

Return of Treasurer and Barons of proceedings, York, 8 May 12 Edward III. 8 May.

Writ directing the allowance to be made retrospectively, Tower of London, 18 May 12 Edw. III. 18 May.

Writ directing a further allowance of £7 5*s.* 1*d.*, the King having sold the rest of the Manor (18 June) to the Prior of the Hospitallers for £100, thus extinguishing the total rent of £24. 19 June.

	£	*s.*	*d.*
Holy Places	12	4	1
Remainder	7	5	1
Wages of Doorkeeper at 2*d.* a day . .	3	0	10
Rent remitted to Bishop of Chichester .	1	10	0
	24	0	0

Writ for complete exoneration of William de Langford. The Court after examining evidence orders further inquisition to be made. 1342, 24 Nov.

William de Langford appears and William de Stowe and Gervase, Barons, etc., record that they have taken the inquisition the day *viz.* the first Sunday in Lent and that the jurors found that William de Langford had made over the residue of the manor (previously mentioned) immediately after the date of the writ and that the hall, 4 chambers, kitchen and chamber over the gate were on 18 June 1338 and still are of no value nor is the garden, and that several trees, from which a great part of the fruit used to issue, have fallen; and that the grass was much damaged by an overflowing of the Thames long before the said 18th June and the residue of the fruit and herbage does not suffice for the protection of the garden from floods. And that the annual value of the aforesaid 8 shops and the rent of assize did not then amount to the smaller sum 1343, 3 March.

mentioned in the previous extent. And that there were no other lands or tenements belonging to the residue of the manor, nor any other tenements belonging to the holy places except 22*d.* annual rent payable at Easter and Michaelmas for the maintenance of a lamp in the Temple Church.

But they say that Hugh le Despenser had only the manor of the Temple with the abovenamed appurtenances and that the other property of the Templars in London is in the seisin and custody of the Prior of the Hospitallers *Consideratum est* that William de Langeford be exonerated.

Pat. Rolls (1339), pp. 303-4

1339, 18 July. Kennington. Inspeximus and confirmation of (1) grant for life by Philip de Thame, prior of the Hospital of St. John of Jerusalem in England, with the assent of his chapter, to Wm. de Langeford, his household servant, the messuages with garden and other appurtenances, sometime of Simon de Brunne in the parish of St. Sepulchre's without the bar of Westsmythefeld London, adjoining the prior's great garden of Clerkenwell. Dated at the celebration of the chapter at Melcheburn Tuesday before the feast of St. Barnabas the Apostle, 1338.

(2) The like, in gratitude to the said William for having among other great benefits to the order lately dealt with the King and obtained for a fine of 100[l] only possession for the Hospital of parcels of land pertaining to the manor of the New Temple, London, and made himself liable for more than 100 marks besides over the business which will be for the good of the prior and order, of the manor with the foreign rents as he has acquired these in their name, at a rent of 1[d] at Midsummer. Dated at Clerkenwell, by London, Saturday the feast of S[t] Peter ad Vincula, 1338.

(3) Indenture of lease by the said prior and brethren of the house to William de Langeford, knight, all their messuages and places, of the sometime Temple, lying from the Lane called "Chauncellereslane" to the Templebarre without the gates of the New

Temple in the suburb of London, whether void or built on, those messuages sold by him to William Brex, one of the brethren, for the use of the chaplains of Clerkenwell, only excepted, to hold for his life at the rent of 32*s*. Dated in the celebration of the chapter at Melchebourn, on Tuesday after the feast of S^{t} Barnabas the Apostle, 1339. By fine of 5 marks, London.

Cal. Inq. p. m. N^{o} 38 Will'us de Langeford Ch'r. 41 Edw. III.

By Statute 32 H VIII c 24, the Order of the Knights of St. John of Jerusalem in England was dissolved and their possessions vested in the King's Majesty his heirs and successors to be under the Survey of the Court of Augmentations. (See *ante*, p. 22.) 32 Hen. VIII.

Letters Patent to the Inner and Middle Temples[1]

13 August, 6 James I, a.d. 1608

Jacobus Dei gracia Anglie Scocie Francie et Hibernie Rex James by the Grace of God, of England, Scotland, France and Ireland, King, fidei defensor etc. Omnibus ad quos presentes litere pervenerint Defender of the Faith, etc. To all to whom these present Letters shall come salutem Cum Regnum nostrum Anglie pacis et belli artibus Greeting. Whereas our Realm of England, having been for so many ages per tot secula florentissimum nobis singulari Dei providentia exceedingly prosperous in the arts of peace and war, and having by the sin- suo tempore jure hereditario devolutum magnam sue felicitatis gular providence of God in his own time devolved upon us by hereditary right, partem antiquis et illius regni propriis legibus longa etatum serie is sensible that great part of its welfare is justly owing to the ancient and proper probatis illique populose ac bellicose genti ut maxime accommodis Laws of the Realm, tried through a long series of ages, and particularly adapted to

[1] The Latin transcript has been compared with the facsimile of the original Letters Patent already referred to (see *ante*, p. 23), and also with the enrolment at the Public Record Office (Pat. Roll, 6 Jac. I, Part 28, No. 9), but for convenience of reading the abbreviations contained in both the original Letters Patent and the enrolment have been extended. The translation is that supplied to the Commissioners for the purposes of the Parliamentary Report of 1855 with a few unimportant corrections.

& assidua experientia approbatis merito debitam agnoscit CUMQUE
that populous and warlike nation, and approved by constant experience And
HOSPICIA Interioris et Medii Templi Londoñ diu [*sic*] ex illis quatuor
whereas the Inns of the Inner and Middle Temple, London, being two
tocius Europe celeberrimis Collegiis legum predictarum studiosis &
out of those four Colleges the most famous of all Europe, as always abounding
peritis semper refertis gratuita progenitorum nostrorum Regum
with persons devoted to the study of the aforesaid Laws and experienced
Anglie munificentia per longum tempus dedicata fuerunt in usum
therein, have been by the free bounty of our progenitors, Kings of England,
studentium ac professorum dictarum legum quibus quasi optimis
for a long time dedicated to the use of the Students and Professors of the said
doctrine & morum seminariis quamplurimi juvenes generis splendore
Laws, to which as to the best Seminaries of learning and education
& animi & corporis dotibus precellentes ab omnibus huius regni
very many young men, eminent for rank of family and their endowments of
partibus indies confluxerunt & ex quibus multi tam nostri quam
mind and body, have daily resorted from all parts of this Realm, and from
progenitorum nostrorum temporibus ad publica & ardua tam status
which many men in our own times, as well as in the times of our progenitors,
quam iusticie munia obeunda ob optima eorum merita evecti fuerunt
have by reason of their very great merits been advanced to discharge the public
in quibus magna prudencie ac integritatis specimina dederunt ad
and arduous functions as well of the state as of justice, in which they have
dicte professionis honorem & huius Regni ornamentum ac tocius
exhibited great examples of prudence and integrity, to the no small honour
Reipublice bonum non modicum prout nobis abunde liquet SCIATIS
of the said Profession, and adornment of this Realm, and good of the
IGITUR QUOD nos felicem statum huius regni Anglie dictarum legum
whole Commonwealth, as is to us so abundantly manifest: Know Ye Therefore,
ministerio tot seculis florentem quatenus in nobis est perpetuare
that we, being desirous of perpetuating, as far as in us lies, the welfare of this
desiderantes dictorumque hospitiorum non tam pristine celebritatis
Realm of England, flourishing for so many ages by the administration of the
continuacionem quam novi splendoris accessionem ambientes ac
said Laws, and compassing not so much the continuance of the ancient renown
ut benevolenciam et munificenciam nostram dictarum legum pro-
of the said Inns as an accession of new honour, and to leave upon record
fessioni et professoribus omni posteritati magis testatam relinquamus
to all posterity a testimony of our good will and munificence to the Profes-

De gracia nostra speciali ac ex certa sciencia & mero motu nostris
sion and to the Professors of the said Laws, Have of our special Grace,
dedimus & concessimus ac per Presentes pro nobis heredibus et
certain knowledge, and mere motion, given and granted, and by these
successoribus nostris Damus & concedimus Predilecto & fideli Con-
Presents for ourselves our heirs and successors do give and grant to our
siliario nostro Julio Ceasar alias Adelmari militi Cancellario &
well-beloved and faithful Councillor Sir Julius Caesar, otherwise Adelmary,
Subthesaurario Scaccarii nostri Henrico Mountagu militi Recor-
Knight, Chancellor, and Under Treasurer of our Exchequer; Sir Henry
datori Civitatis nostre Londoñ ac nobis a consiliis in lege Willelmo
Montague, Knight, Recorder of our City of London, one of our Counsel in the
Towse armigero Ricardo Daston armigero dictorum hospitiorum
Law; William Towse, Esquire, Richard Daston, Esquire, Treasurers of the
Thesaurariis Johanni Boys militi Andree Gray Thome Farmor
said Inns; Sir John Boys, Knight, Andrew Gray, Thomas Farmer,
Radulpho Ratcliffe Matheo Dale Hugoni Hare Matheo Cratch-
Ralph Ratcliffe, Matthew Dale, Hugh Hare, Matthew Cratch-
erood Georgio Wild Thome Pagitt Johanni Hare Willelmo
erood, George Wild, Thomas Pagitt, John Hare, William
Gibbes Ricardo Brownelowe Bartholomeo Man Edmundo Pri-
Gibbes, Richard Brownlowe, Bartholomew Man, Edmund Pri-
deaux Johanni Cavell Georgio Croke Henrico Hall Rogero Dale
deaux, John Cavell, George Croke, Henry Hall, Roger Dale,
Ricardo Swayne Anthonio Dyott Francisco Morgan Edwardo
Richard Swayne, Anthony Dyott, Francis Morgan, Edward
Stapleton Nicholao Overbury Johanni Hele Jacobo Walrond
Stapleton, Nicholas Overbury, John Hele, James Walrond,
Johanni Harris Thome Stephens Elizeo Hele Georgio Wright-
John Harris, Thomas Stephens, Elisha Hele, George Wright-
ington Edwardo Bromley Willelmo Bastard armigeris Johanni
ington, Edward Bromley, William Bastard, Esquires; Sir John
Jackson militi Johanni Jermy Ricco Gwynne Francisco Tate
Jackson, Knight, John Jermy, Rice Gwynne, Francis Tate,
Johanni Walter Francisco More Davidi Waterhouse Laurencio
John Walter, Francis More, David Waterhouse, Lawrence
Hide Willelmo Brock Georgio Gascoigne Paulo Ambrosio Croke
Hide, William Brocke, George Gascoigne, Paul Ambrose Croke,
Willelmo Swanton Johanni Lloyd Francisco Harvy Thome Ceasar
William Swanton, John Lloyd, Francis Harvy, Thomas Caesar,

Edwardo Cason & Willo Fletcher armigeris predicta hospitia
Edward Cason, and William Fletcher, Esquires, our aforesaid Inns
& capitalia mesuagia & edificia nostra cum pertinenciis vocata
and capital Messuages and buildings, with the appurtenances called
seu cognita per nomen vel nomina de le Inner & le Middle
or known by the name or names of the Inner and the Middle Tem-
Temple sive Novi Templi Londoniis seu eorum alicuius in sub-
ple, or New Temple, London, or any of them, being in the Sub-
urbio civitatis nostre Londoniarum ac infra le Temple Barre Lon-
urbs of our City of London, and within the Temple Barre of
doniarum predictum existentia ac omnia mesuagia aulas domos
London aforesaid; and all our Messuages, Halls, Houses, Edifices,
edificia claustra structuras cameras gardina lez courtes venellas
Cloisters, Buildings, Chambers, Gardens, Courts, Lanes, Passages, Yards,
chimina atria vias semitas vacua funda muros lapides et terras
Ways, Paths, Void Grounds, Walls, Pavements, and Lands, Ground
fundum & solum nostra quecumque infra situm precinctum am-
and Soil whatsoever, being within the site, precinct, compass,
bitum & circuitum dictorum locorum vocatorum le Inner Temple &
and circuit of the said places called the Inner Temple and the
le Middle Temple sive Novum Templum et capitalium mesuagiorum
Middle Temple, or New Temple, and of the capital Messuages afore-
predictorum & ceterorum premissorum existentia aut ut pars vel
said, and other the premises, or as part or parcel of the same,
parcella eorumdem et ceterorum premissorum seu eorum alicuius
and other the premises, or any of them, always theretofore had,
unquam antehac habita cognita accepta seu reputata existentia
known, taken, or reputed so to be; And all that Bridge called
Ac TOTUM illum Pontem vocatum le Temple Bridge necnon totum
the Temple Bridge; Also all that annual rent or annual payment
illum annualem redditum sive annualem pencionem Decem librarum
of Ten Pounds, late parcel of the possessions and revenues of
nuper parcellam possessionum & revencionum nuper hospitalis
the late Hospital of Saint John of Jerusalem in England, and
Sancti Johannis Jerusalem in Anglia ac exeuntem sive solutum de
issuing or paid out of the tenements aforesaid, called or known by
tenementis predictis vocatis seu cognitis per nomen de le Inner
the name of the Inner Temple, otherwise called the Inner Part
Temple alias dicti Interioris partis Templi London vel de thesauro
of the Temple, London, or out of the Treasure of the same

Societatis eiusdem Interioris Templi aut per Thesaurarium eiusdem
Society of the Inner Temple, or by the Treasurer of the same
Societatis annuatim solvendum Ac unum alium annualem redditum
Society, to be paid yearly; And one other annual rent or annua.
sive annualem pencionem Decem librarum nuper parcellam posses-
payment of Ten Pounds, late parcel of the possessions and revenues
sionum & revencionum dicti nuper Hospitalis Sancti Johannis
of the said late Hospital of Saint John of Jerusalem, and issuing or
Jerusalem ac exeuntem seu solutum de tenementis predictis vocatis
paid out of the tenements aforesaid, called or known by the name of
seu cognitis per nomen de le Middle Temple London vel de thesauro
the Middle Temple, London, or out of the Treasure of the same
Societatis eiusdem Medii Templi London aut per Thesaurarium eius-
Society of the Middle Temple, London, or by the Treasurer of the
dem Societatis annuatim solvendum ac revercionem & reverciones
same Society, to be paid yearly; And the reversion and reversions of
omnium & singulorum premissorum ac cuiuslibet inde parcelle Nec-
all and singular the premises and of every part thereof; And all that
non totam illam Ecclesiam edificium & structuram Ecclesie pro
Church, Edifices, and Buildings of the Church, used for or dedicated
divino cultu precibus sacramentis & sacramentalibus celebrandis
to Divine Worship, Prayers, and celebrating the Sacraments and Sacra-
usitatam sive dedicatam communiter vocatam le Temple Church
mentals, commonly called the Temple Church, situate within the site,
scituatam infra scitum circuitum & precinctum predictorum hos-
circuit, and precincts of the aforesaid Inns, Messuages, and other the
pitiorum mesuagiorum & ceterorum premissorum superius per pre-
premises above by these Presents before granted, or any of them;
sentes preconcessorum seu eorum alicuius ac totam Cancellam & Navem
and all that the Chancel and Nave and Belfry of the same Church,
& Campanile eiusdem Ecclesie cum campanis in eodem existentibus ac
with the Bells being in the same, and the Churchyard, Cloisters, and
cemiterium claustrum et omnes Capellas Cameras & Structuras
all the Chapels, Chambers, and Buildings, to the same Church adjacent
eidem Ecclesie adiacentibus sive constructis ac revercionem &
or erected, and the reversion and reversions of all and singular the
reverciones omnium & singulorum premissorum & cuiuslibet inde
premises, and of every part thereof; We Give Also and
parcelle Damus eciam ac ex certa sciencia et mero motu nostris
of our certain knowledge and mere motion, for ourselves,

pro nobis heredibus & successoribus nostris concedimus prefatis
our heirs and successors, grant to the aforesaid Julius
Julio Ceasar
Caesar,

[*The names of the other grantees as above are here repeated.*]

heredibus & assignatis suis infra predicta mesuagia terras tene-
their heirs and assigns, within the aforesaid Messuages, Lands, Tene-
menta & cetera premissa per presentes preconcessa & infra quam-
ments and other the premises by these Presents before granted and
libet inde parcellam huiusmodi letas visum franciplegii assisam &
within every part thereof such leets, view of Frankpledge, Assise and
assaiam panis vini & cervisie ac omnia alia iurisdictiones franchesias
Assay of Bread, Wine and Ale, and all other Jurisdictions, Franchises,
libertates privilegia immunitates et exempciones qualia et que ac
Liberties, Privileges, Immunities, and Exemptions, such and which and
adeo plene libere & integre ac in tam amplis modo et forma prout
as fully, freely, and entirely, and in as ample a manner and form
nuper Priores & Confratres dicti nuper prioratus Sancti Johannis
as the late Priors and Brothers of the said late Priory of Saint
Jerusalem in Anglia seu eorum aliquis vel aliquis alius sive aliqui
John of Jerusalem in England, or any of them, or any other or
alii mesuagia predicta et cetera premissa seu aliquam inde parcellam
others having or occupying the aforesaid messuages and other the pre-
habentes seu occupantes aliquo tempore habuerunt tenuerunt vel
mises or any part thereof, at any time had, held, or enjoyed, or
gavisi fuerunt habuit tenuit vel gavisus fuit seu habere tenere vel
ought to have held, or enjoyed, in the aforesaid Messuages, Lands
gaudere debuerunt aut debuit in predictis mesuagiis terris & tene-
and Tenements above by these Presents before granted, or in
mentis superius per presentes preconcessis aut in aliqua inde parcella
any part thereof, by reason or colour of any Charter
racione vel pretextu alicuius Charte Doni Concessionis vel Con-
of Gift, Grant or Confirmation, or of any Letters
firmationis aut aliquarum literarum Patentium per nos sive per
Patent by us or by any of our progenitors, hereto-
aliquem progenitorum nostrorum antehac habitarum factarum seu
fore had, made, or confirmed, or by reason or colour
confirmatarum aut racione vel pretextu alicuius legittime prescrip-
of any lawful Prescription, Use or Custom theretofore had

cionis usus seu consuetudinis antehac habite seu usitate vel aliquo
or used, or by or in any other legal manner,
quocumque alio legali modo iure seu titulo ac adeo plene libere &
right, or title, and as fully, freely, and entirely as
integre prout ea omnia & singula in manibus nostris jam existunt vel
all and singular the same in our hands now are
existere debent seu debuerunt EXCEPTIS tamen & nobis heredibus
or should or might be; Except nevertheless wholly to ourselves
& successoribus nostris omnino reservatis nominacione donacione &
our heirs, and successors, the reservation, nomination, donation, and
libera disposicione ad officium Magistri sive Custodis domus et ecclesie
free disposition to the Office of Master or Keeper of our House and
nostre Novi Templi Londoñ predicte & Rectorie Ecclesie predicte ac
Church of the New Temple of London aforesaid, and of the Rectory of the
ordinacione & constitucione eiusdem Magistri Custodis sive Rectoris
aforesaid Church, and the ordination and appointment of the same Master, Keeper,
domus et Ecclesie predicte quociescumque et quandocumque infu-
or Rector of the House and Church aforesaid, as often as, and whenever in future it
turum vacare contigerit HABENDUM ET TENENDUM predicta hospicia
shall happen to be vacant; To Have and To Hold the aforesaid Inns, Messuages,
mesuagia domos edificia Cameras gardina libertates franchesias
Houses, Edifices, Chambers, Gardens, Liberties, Franchises, Privileges,
privilegia immunitates & cetera omnia et singula premissa superius
Immunities, and all and singular other the premises above by these
per presentes preconcessa & quamlibet inde parcellam cum suis
Presents before granted and every part thereof, with all their appur-
pertinenciis universis (exceptis preexceptis) prefatis Julio Ceasar
tenances (except as before excepted) to the aforesaid Julius Caesar,

[*The names of the other grantees as above are here repeated.*]

heredibus et assignatis suis ad proprium opus & usum ipsorum
their heirs and assigns, to the proper behoof and use of them the said
Julii Ceasar
Julius Caesar,

[*The names of the other grantees as above are here repeated.*]

ac heredum & assignatorum suorum que quidem hospicia mesuagia
and their heirs and assigns which said Inns, Messuages, Houses, Edifices,
domos edificia cameras & cetera premissa volumus ac per presentes
Chambers, and other the premises we will, and by these Presents for

pro nobis heredibus et successoribus nostris firmiter mandamus pro
ourselves, our heirs and successors, strictly command, shall serve for
hospitacione & educacione studencium & professorum legum pre-
the Entertainment and Education of the Students and Professors
dictarum in eisdem hospitiis perpetuis temporibus futuris commor-
of the Laws aforesaid, residing in the same Inns for
antibus deservire REDDENDO annuatim nobis heredibus & success-
ever Yielding annually to us, our heirs and successors, for
oribus nostris pro predictis premissis vocatis seu cognitis per nomen
the aforesaid premises called or known by the name of
de le Inner Temple cum pertinenciis decem libras legalis monete
the Inner Temple, with the appurtenances, Ten Pounds of lawful money
Anglie & pro premissis vocatis per nomen de le Middle Temple
of England; and for the premises called by the name of the Middle Temple
alias Decem libras consimilis monete Anglie ad Receptam Scaccarii
other Ten Pounds of like money of England, at the receipt of our Exchequer, at
nostri ad festa Sancti Michaelis Archangeli & Annunciationis Beate
the Feasts of St. Michael the Archangel, and the Annunciation of the Blessed
Marie Virginis equis porcionibus solvendas Ac tenendum omnia &
Virgin Mary; to be paid in equal portions; And To Hold all and singular
singula premissa de nobis heredibus & successoribus nostris ut de
the premises of us, our heirs and successors, as of our Manor of
manerio nostro de Eastgreenwich in libero & communi socagio per
East Greenwich,[1] in free and common socage by fealty only and not
fidelitatem tantum & non in capite pro omnibus serviciis et demaundis
in chief, for all services and demands of us, our heirs
nobis heredibus et successoribus nostris proinde solvendis seu faci-
and successors therefor to be paid or made: And the said Julius
endis ET predicti Julius Ceasar
Caesar,

[*The names of the other grantees as above are here repeated.*]

pro se heredibus & assignatis suis conveniunt & concedunt ad et
for themselves, their heirs and assigns, covenant and undertake to and
cum nobis heredibus et successoribus nostris quod ipsi prefati
with us, our heirs and successors, that they the aforesaid Julius
Julius Ceasar
Caesar,

[*The names of the other grantees as above are here repeated.*]

[1] See *ante*, p. 25.

heredes & assignati sui convenientem mansionem et domum iuxta
their heirs and assigns, will, from time to time, set apart and appoint
Ecclesiam predictam de tempore in tempus allocabunt & appunctu-
a convenient Mansion and House near the aforesaid Church, for the
abunt predictis Magistro sive Custodi domus & Ecclesie predicte et
aforesaid Master or Keeper of the House and Church aforesaid, and
successoribus suis pro tempore existentibus pro moracione et habita-
his successors for the time being, for his residence and habitation, so
cione sua quamdiu Magister sive Custos domus et Ecclesie predicte
long as he shall remain the Master or Keeper of the said House or
extiterit & illam sumptibus & expensis suis propriis manutenebunt im-
Church, and will maintain the same at their own proper costs and charges
perpetuum Ac ETIAM unam annuitatem sive annualem pencionem sept-
for ever; And also will, from time to time pay, or cause to be paid,
emdecim librarum sex solidorum & octo denariorum legalis monete
one annuity or yearly payment of Seventeen Pounds Six shillings and Eight pence
Anglie prefato Magistro sive Custodi domus et Ecclie predicte & suc-
of lawful money of England, to the said Master or Keeper of the House and
cessoribus suis in partem manutencionis ipsius Magistri & Custodis
Church aforesaid, and to his successors, in part maintenance of him the said
& successorum suorum pro tempore existencium annuatim ad festa
Master and Keeper, and his successors for the time being, yearly, at
Sancti Michaelis Archangeli & Annunciacionis Beate Marie Virginis
the feasts of St. Michael the Archangel, and of the Annunciation of
imperpetuum per equales porciones de tempore in tempus persolvent
the Blessed Virgin Mary for ever, in equal portions
seu persolvi curabunt ultra & preter viginti libras annualis redditus
over and above Twenty Pounds yearly rent or payment
seu pencionis per nos heredes et successores nostros prefato Magistro
to be made by us, our heirs and successors, to the before-mentioned
sive Custodi et successoribus suis pro tempore existentibus annuatim
Master or Keeper and his successors for the time being, yearly, at the
ad festa predicta solvendas Necnon predictam Ecclesiam Cancellam
Feasts aforesaid: And Moreover, that they will well and sufficiently
& Campanile eiusdem ac omnia alia eidem Ecclesie quoquo modo
maintain and keep up the aforesaid Church, Chancel, and the Belfry
pertinencia de & in omnibus & per omnia perpetuis temporibus
of the same, and all other things to the same Church in any
sumptib3 suis propriis bene & sufficienter manutenebunt [et] sus-
manner appertaining of and in all respects and in all things at their own proper costs

tinebunt ad cultus divinos sacramenta & sacramentalia ac alia officia
for ever, for the Celebration of Divine Service and the Sacraments and Sacramentals
ministeria et ritus ecclesiasticos quoscumque ibidem imperpetuum cele-
and other the Ministerial Offices and Ecclesiastical Rites whatsoever henceforth for
branda prout decet & hucusque usitatum est Et ULTERIUS de
ever, as is befitting and henceforth accustomed: And Further, of our
ampliori gracia nostra ac ex certa sciencia & mero motu nostris
mere especial grace, certain knowledge and mere motion, we will and
volumus & concedimus et per presentes pro nobis heredibus & suc-
grant by these Presents, for ourselves, our heirs and successors to the
cessoribus nostris prefatis Julio Ceasar
before mentioned Julius Caesar,

[*The names of the other grantees as above are here repeated.*]

heredibus & assignatis suis quod he litere nostre patentes vel irro-
their heirs and assigns, that these our Letters Patent, or the
tulamentum earumdem erunt in omnib3 & per omnia firme valide
enrolment of the same, be in all respects, and for all purposes, firm,
bone sufficientes & efficaces in lege erga & contra nos heredes &
valid, good, sufficient and effectual in Law, to and against us, our heirs
successores nostros absque aliqua confirmacione licencia vel tollera-
and successors, without any Confirmation, License, or Toleration from
cione de nobis heredibus & successoribus nostris imposterum pro-
us, our heirs and successors, hereafter to be procured
curanda seu obtinenda Non OBSTANTE quod predicta hospitia
or obtained: Notwithstanding that the said Inns, Messuages
mesuagia et cetera premissa seu aliqua inde parcella male nominata
and other the premises, or any parcels thereof, be ill described, or
vel non nominata non recitata vel male recitata sit vel sint Et
not described, not recited, or ill recited; And notwithstanding that
non obstante quod nullum sufficiens officium vel inquisicio omnino
no sufficient Office or Inquisition wholly of the said
de premissis vel aliqua inde parcella inventum sit per quod titulus
premises, or any part thereof be found, by which our title ought to
noster inveniri debuit ante confectionem harum literarum nostrarum
be found before the completion of these our Letters Patent;
patencium Et non obstante non recitando vel male recitando mis-
And notwithstanding the not reciting, or ill reciting, any misprision or
prisione seu alia incertitudine tituli nostri seu status alicuius seu ali-
other uncertainty of our title, or of the estate of either or any of

quorum tenencium seu occupatorum premissorum seu alicuius inde
the tenants or occupiers of the said premises, or of any part
parcelle Et non obstante quod aliquod donum dimissio sive con-
thereof; and notwithstanding that there be any gift, demise or grant
cessio de premissis seu aliqua inde parcella de recordo vel non de
of the premises, or any part thereof, of record or not of record
recordo antehac factum in presentibus non recitatum existit seu existunt
heretofore made, not recited in these Presents; and notwithstanding
Et non obstantibus aliquibus aliis defectibus de certitudine vel com-
any other defect in the ascertaining or computing or
putacione aut declaracione veri annui valoris premissorum aut ali-
declaring the true annual value of the premises, or of any
cuius inde parcelle Et non obstante Statuto in Parliamento domini
part thereof; And notwithstanding the Statute in Parliament of the
Henrici nuper Regis Anglie quarti anno regni sui primo inde edito
Lord Henry the Fourth, late King of England, in the first year of his Reign, in
et proviso Et non obstantibus aliquibus defectibus in non recte
that behalf made and provided;[1] And notwithstanding any defect in not rightly
nominando naturas genera species quantitates aut qualitates pre-
naming the natures, kinds, sorts, quantities, or qualities of the premises,
missorum seu alicuius inde parcelle VOLUMUS ECIAM ac per presentes
or of any part thereof: We Will Also and by these Presents grant
concedimus prefatis Julio Ceasar
to the before mentioned Julius Caesar,

[*The names of the other grantees as above are here repeated.*]

quod habeant et habebunt has literas nostras patentes sub magno
that they do and shall have these our Letters Patent under our
sigillo nostro Anglie debito modo factas & sigillatas absque fine seu
Great Seal of England duly made and sealed, without fine or fee,
feodo magno vel parvo nobis in Hanaperio nostro seu alibi ad usum
great or small, to be for us into our Hanaper or elsewhere for our
nostrum proinde quoquo modo reddendo solvendo seu faciendo Eo
use therefor in any manner rendered, paid, or made: To The Intent
QUOD expressa mencio de vero valore annuo vel de certitudine pre-
that express mention of the true yearly value, or of the certainty of

[1] This is probably the Statute 1 Hen. IV, c. 6, which provides that in all petitions for grants of land, etc., the true value must be stated.

missorum sive eorum alicuius aut de aliis donis sive concessionibus
the premises, or any of them, or of any other gift or grant by us,
per nos vel per aliquem antecessorum sive progenitorum nostrorum
or by any of our ancestors or progenitors to the said Julius
prefatis Julio Ceasar
Caesar,

[*The names of the other grantees as above are here repeated.*]

sive eorum alicui vel aliquibus ante hec tempora factis in presentibus
or to either or any of them heretofore made, but not made in these
minime facta existit aut aliquo statuto actu ordinacione provisione
Presents, may remain, or any Statute, Act, Ordinance, Provision, Pro-
proclamacione sive restrictione in contrarium inde ante hac habitis
clamation, or Restriction to the contrary heretofore made, done, issued,
factis editis ordinatis sive provisis aut aliqua alia re causa vel materia
ordained or provided; or any other thing, cause, or matter what-
quacumque in aliquo non obstantibus In cuius rei testimonium has
soever in any wise notwithstanding: In Witness whereof we have
literas nostras fieri fecimus patentes Teste me ipso apud West-
caused these our Letters to be made Patent. Witness ourselves at
monasterium tercio decimo die Augusti anno regni nostri Anglie
Westminster this Thirteenth day of August in the Sixth year of our Reign in
Francie & Hibernie sexto & Scocie quadragesimo secundo
England, France, and Ireland, and in Scotland the Forty-Second.

Per breve de privato sigillo &c.
By writ of Privy Seal.

LUKYN.

[*On fold of parchment.*]

xiiij° Junii 1609. Irrotulatur coram Hugone Sepey
Examinatur per me Thomam Marten.

[*Great Seal of England appended by a cord.*]

(Patent Roll, No. 1778, 6 James I. pt. 28, no. 9.)

1608,
13 August.

The Master of the Temple's House and Garden

The Harl. MS. No. 830, set out in Malcolm's "Lond. Red.," Vol. II, at p. 288 contains the following statement: "The house of the said rectory King Edward VI granted to M^r^ Keilway and his heirs; whose sole heir, Sir John Harington, of Rutlandshire, married;[1] and they conveyed it to Sir John Roper;[2] and he the one half to my Lord Chief Justice, his Honour that now is,[3] and nine other benchers, then of the Middle Temple, and their heirs; and the other half to as many other then benchers of the Inner Temple."

21st June Eliz. 28 (1585) Deed of Bargain and Sale of the Moiety of the Master of the Temple's Lodgings.

Parties—First, John Roper.

Second, John Popham and others, Benchers of the Middle Temple.

Bargain and Sale to parties of the 2nd part in consideration of £125.

Parcels—The moiety and one half of all that Messuage or Mansion House now or lately commonly called or known by the name of the Master of the Temple his lodging otherwise the Master of the Temple's lodging and one moiety of all houses etc. gardens outbuildings to the said messuage or mansion house belonging sometime in the tenure or occupation of Sir John Baker Kt. late of Robert Keylway Esq. lying and being near unto the Temple Church within the Barres of London.

Habendum—to the parties of the 2nd part their heirs and assigns

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[1] Sir John Harrington was afterwards first Lord Harrington of Exton. He married Anne, daughter of Sir Robert Kelway.

[2] Sir John Roper, created Baron Teynham in 1616, was the grandson of Sir John Fineux, from whom the Society of the Middle Temple acquired New Inn (see *ante*, p. 19).

[3] Sir John Popham was made Chief Justice of the King's Bench in 1592, see 'Notable Middle Templars."

for ever To be holden of the Chief Lord of the ffee of the premises by the rent and services therefor to be due and of right accustomed.

Covenant for title by John Roper in his demise as of fee simple absolutely notwithstanding anything done by John Harrington Kt. and Dame Anne his wife and by the said John Roper or any of them.

30th June Jacob. 5° (1607). A feoffment between Thomas Fermon and others of the one part and Sir Henry Mountagu and others Benchers of the Middle Temple of the other part of the Moyitie of the Master of the Temples Lodgings.

Jacob. 6°. St. Martin in quindecim. A fine between Sir Henry Mountagu and others complainants and John Lord Harrington Anne his wife and said John Roper deforceants de uno messuagio uno cartilagio et uno gardino cum appertinentibus in Interiori Templo et in parochiis beatae Marie prope barram novi Templi et sancti Dunstan in occidente unde placitum contentiosum fuit inter eos in eadem curia.

Fee Farm Rent of £10

14th November 1673. Deed of Bargain and Sale between Francis Lord Hawley and William Charles Harbord Kt. His Majesty's Surveyor General and others of the 1st part John Lindsey of the 2nd part and Sir Francis North and others of the third part of the fee farm rent of £10 issuing out of Inn and Messuages known or called by the name of the Middle Temple or New Temple London under Letters Patent of James I.

1673 14th Nov. Close Roll (No. 4383) 25 Charles II, pt. 5, No. 14, Enrolment of Deed of Bargain and Sale dated 14th November 25 Chas. II, 1673.

New Court and Garden Court

16th May 1676. Deed of Bargain and Sale of Essex Garden Boundary Wall, New Court and Garden Court.

Parties—First, Nicholas Barbon of London, Doctor in Physicke.

Second, Thomas Gape of the Middle Temple Esq.
Third, Thomas Cooke and Nicholas Carey of London, Goldsmith.
Fourth, Wm. Whitelocke and others (Benchers of the Hon. Society of the Middle Temple).

Recites Articles of Agreement bearing date 30th June 1675 between said Nicholas Barbon and Sir Francis Winnington Knt. and others Masters of the Bench of the Middle Temple.

Bargain and Sale to parties of the fourth part.

Parcels—All that boundary wall and the soil whereon it stands dividing the Middle Temple and the Garden or Ground late known by the name of Essex Gardens beginning on the back Buildings of the Middle Temple at the North West corner of Essex Court down to the Garden or Ground belonging to the Middle Temple known by the name of the Bench Garden and round or near round the said Bench Garden and the Common Garden to the stone building adjoining to the Thames with convenient liberty to new build or repair the same as often as need shall require the same being to continue a boundary wall to be maintained and supported at the charge of the Society of Middle Temple. Boundary Wall of Essex Garden.

As also all that piece or parcel of Ground being lately a part of Essex Gardens before mentioned containing in length from East to West 96 feet and in breadth from North to South 3 score feet (be the same more or less) now or late bounded as follows, viz.: New Court.

By the upper wall of the said Bench Garden and part of the void ground late of Essex Garden being the boundary on the South, the old buildings of Essex Court being the East boundary thereof and the site or soil late part of Essex House being the North boundary thereof, and the remaining part late of Essex Garden the West boundary thereof. Together with the wall piers and gates now lately erected and set up at the North West end of the new build- Gate into Devereux Court.

ings now newly erected on the said Ground and opening out of the Court or Yard lying Eastward of the said buildings into part of the site late of Essex House aforesaid now called or designed to be called Devereux Court.

Garden Court.

And also one other piece or parcel of Ground being likewise a part late of Essex Garden aforesaid containing in length from North to South 130 feet and in breadth from East to West 26 feet (be the same more or less) now or late bounded as follows, viz.: by the Common Garden of the said Society of the Middle Temple from the East side and by the remaining part late of Essex Garden on the West North and South parts thereof.

Together with all and singular erections and buildings now erected on the said several pieces or parcels of Ground before mentioned being two several stacks of buildings the one standing on the North or North West side and having one stair case therein and the other on the South or South West side of the Bench Garden aforesaid with two staircases therein and all the buildings hereafter to be thereon erected.

Together with the Court of said before mentioned lying Eastward and Northward from the said new building now erected and standing on the North or North West side of the Bench Garden aforesaid, being part of the premises hereinbefore mentioned, which said court or yard containeth from North to South 72 feet and from East to West 50 feet or thereabouts.

All which said premises are expressed and described in a scheme map or plan thereof hereunto annexed.[1]

Building in the rear of No. 4 Brick Court

25th May 1714. Deed of Bargain and Sale of Building on the back side of No. 4, Brick Court.

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[1] The measurements on the plan differ a trifle from those given in the parcels.

Parties—First, Peter Johnson.
Second, Richard Agar.
William Guavas.
Third, John Viney (Treasurer of Middle Temple) and others.

Bargain and Sale to parties of third part.

Parcels—All that tenement or building on the North side of the said Chamber now in the possession of Charles Lechmere Gent. or his assigns adjoining upon the Rose Tavern on the West the Cross Key Yard on the East the yard betwixt the said chamber and building on the South and a little yard divided by a wooden partition from the ground of John Brothett on the North with the appurtenants.

Partition Deed between the two Societies

2nd November 1732. Deed of Bargain and Sale between the two Societies of the Middle Temple and the Inner Temple.

Parties—First, Sir Philip Yorke, Knight, and others of the Middle Temple.
Second, Edward Barker Esq., and others of the Inner Temple.
Third, Sir Thomas Clarke, Knight, and others.

Recites Letters Patent of 13th August in the 6th James I.

Recites the devolution of the legal estate and Indentures of Bargain and Sale executed from time to time to preserve the inheritance and fee simple of the premises from descending to or devolving upon infants or strangers to the Societies.

Recites that several disputes and differences had arisen between the said Societies, not only touching the Buildings and Bounds, Ways and Passages, Ground and Soil, Lights, Easements, and other conveniences belonging to and used by each Society, separate and apart from the other Society,

but also touching the Estate in law in and to such of the premises comprised in the said Letters Patent as solely belonging to and are in the separate possession of the said Society of the Inner Temple, and the Members thereof as Members of that Society.

Recites Orders of Parliament of each Society for reference to persons named to ascertain the buildings grounds and possessions of each Society.

Recites Bargain and Sale, pending reference, to Sir Philip Yorke and others.

1st Testatum—Bargain and Sale to Edward Barker and others and to their heirs and assigns.

Inner Temple.

Parcels—All that ground and all those Buildings called or known by the name of the Inner Temple, situate, lying, or being between Fleet Street and the River Thames, as the same is and are now used and enjoyed by said Society of

Gate.

the Inner Temple; all that gate opening into the Street called Fleet Street towards the North, opposite to the South end of the Street called Chancery Lane, and the Ground and Soil of said Gate and Gate Place, with sole custody of the keys thereof; and all that Lane called the

Inner Temple Lane.

Inner Temple Lane, leading from said Gate to the Temple Church Porch, with the Steps from the said Lane down into said Porch, saving and reserving nevertheless for ever hereafter free ingress, egress, and regress for the Members of the said Society of the Middle Temple for the time being into and through the said Gate and Lane at all seasonable times, in as ample a manner as the Members of the Inner Temple do and shall use the same; and all

Shops and Chambers in the Lane.

those two small Shops, the one in and the other near said Gateway, on the West side of said Inner Temple Lane; and also all that Staircase or Building, with the Shops and Chambers on each side of said Staircase and the Ground and Soil thereof, situate on the East side of the same Lane, and adjoining to the Court or Passage called Church-

yard Court towards the North, and to the Chambers or Buildings belonging to the Middle Temple towards the South, and all those Chambers up one pair of stairs above the Ground Floor and the Garrets over the same, with the stairs leading thereto, situate on the South side of Church-yard Court, in that Staircase or Building near the North side of the Temple Church, and adjoining to the Churchyard towards the East; And all those Shops, Staircases, and Buildings adjoining to the West side of the Inner Temple Lane aforesaid, and to the Temple Church Porch, the lowest of which said Staircases or Buildings abutteth in part to the South end of the same Lane; and also the Shop adjoining to such lowest of the Staircases last mentioned to the West and East to said Temple Church Porch, and being over against the Great Door of the Temple Church, and the Ground and Soil of said last mentioned Buildings and Soil;

Hare Court.

And also all that Court called Hare Court, and the Buildings, Staircases, Ground, and Soil thereof, bounded on the North by the Buildings belonging to Fleet Street aforesaid, on the West by the Lane called the Middle Temple Lane, on the South in part by the Buildings of Pump Court, (viz;) the second Staircase from the Middle Temple Lane on the North side of Pump Court, and which adjoineth backwards unto Hare Court, and in other part by Pump Court aforesaid, and on the East by the Buildings of the Inner Temple Lane, including the ground within the Pallisadoes on the back of the said second Staircase on the North side of Pump Court aforesaid, together with liberty of the three Doors opening into the Middle Temple Lane, the one of them out of the Fine Office and the other two out of the Prothonotary's Office, and the use of the steps under the same Fine Office Door and the Door of the Prothonotary's Office, next thereto, with liberty from time to time to repair the same (the area or small piece of ground at the South-West corner of Hare Court aforesaid,

between the Fine Office Buildings and the back part of the Buildings of the North-West corner of Pump Court, next the Middle Temple Lane, and the Pallisadoes enclosing the same area only excepted);

And all that Staircase or Building fronting towards said Temple Church, and adjoining to Pump Court aforesaid, towards the South, and Hare Court aforesaid towards the West, and in part of the Building belonging to said Society of the Inner Temple at the bottom of the Inner Temple Lane, and in other part towards the North upon the Buildings on the South side of the Staircase at the bottom of said Inner Temple Lane, belonging to said Society of the Middle Temple; And the ground and soil of the said staircase with the passage under part of the same staircase or building leading out of Hare Court towards the said Church and also the other passage leading out of Hare Court aforesaid into the Inner Temple Lane.

Shops and Chambers in Lamb Building Court.

And all that Building containing a Shop and two Stories or Chambers over the same, and the Ground and Soil thereof, in Lamb Building Court, formerly part of the South Churchyard, situate on the East side of the Staircase there leading up to the Chambers over the Middle Temple Cloisters, and other Buildings belonging to the said Middle Temple, and on the West side of another Staircase of the said Middle Temple leading up to other Chambers of said Middle Temple in the same Court, with the free use of the Stairs in the last-mentioned Staircase to go up to the said two Storeys or Chambers over the said Shop last mentioned, and down from the same; and all those little Shops and Buildings, and the Ground and Soil thereof, extending Eastward from the Building of the Middle Temple on the East side of the second Staircase last-mentioned to the Buildings at the East end of the Court called Tanfield Court (except the Building there called the Vestry);

And also all that low Building called Judge Twisden's

Building, adjoining to the North side of the Inner Temple Hall, and the Ground and Soil thereof; Judge Twisden's Building.

And also all that Court called Tanfield Court, with the Staircases and Buildings on the East and South sides thereof, and the Staircase ranging therewith and fronting towards the King's Bench Walks, and the Ground and Soil of the same, including the Ground within the Pallisadoes on the East side of Lamb Buildings aforesaid; Tanfield Court.

And also all that low Building called the Exchequer Office, and the Ground and Soil thereof, adjoining to the East side of the Garden belonging to or used with the House inhabited by the Master of the Temple, with liberty to make a Drain adjoining to the West Wall of the said Office under Ground for conveying the Water and to maintain the same; Exchequer Office.

And also all that the Soil and Ground of the King's Bench Walks and the Inner Temple Garden, and all buildings belonging to the same, bounded on the North by Mitre Court and Ram Alley, part of Serjeant's Inn in Fleet Street, the Alienation Office and Garden belonging to the same Office, on the East by part of Serjeant's Inn aforesaid, and the said Garden and Office and White Fryers, on the South by the River Thames, and on the West from the said River to the South end of the Buildings of Elm Court, belonging to the Middle Temple aforesaid, adjoining to the Middle Temple Lane (all which King's Bench Walks, Inner Temple Garden, Buildings, and Premises last-mentioned, are hereby declared to be the Buildings, Ground, and Soil of the Inner Temple), together with the Gates opening into the Middle Temple Lane by or under the Crown Office Buildings, and the Gates and Doors opening into White Fryers, Serjeant's Inn, Ram Alley, and Mitre Court aforesaid, with the Ground and Soil thereof, and all Erections thereon, and the sole custody of the keys of the said Gates; King's Bench Walks. Gates into Middle Temple Lane, White-Fryers, Serjeant's Inn, Ram Alley, Mitre Court.

Fig Tree Court. Garden Buildings. Crown Office Buildings.

And also all that Court called Fig Tree Court, and those Buildings called the Garden Buildings, and Crown Office Buildings, and the Ground and Soil thereof, and the piece of Void Ground lying between the North side or back part of the said Crown Office Buildings, and the back part of the Buildings of the South side of Elm Court, and extending from the Middle Temple Lane to the further jett or break of the back part of said Buildings of Elm Court Eastwards, and continuing in length 53 feet 9 inches of assize, and in breadth next the Lane six feet three inches, and next to Fig Tree Court eight feet or thereabouts; together with the Door there opening into said Middle Temple Lane (the stone Steps at the end of the Passage out of said Elm Court into said Figtree Court, and a piece of Ground in said Fig Tree Court containing in length from said Steps Eastward sixteen feet, and in breadth three feet eight inches of assize or thereabouts, and likewise the Ground between the two jetts or breaks of the back part of said Buildings of Elm Court, being the Steps, Ground, and Soil of the Middle Temple hereby excepted); And also a Way and Passage, and free ingress, egress, and regress to and from the same last excepted Ground, and the Sheds or Buildings thereon, in, by, and through said Void Ground at the back of said Crown Office Buildings, allotted to said Society of the Inner Temple, with liberty of enclosing said first excepted piece of Ground with Pallisadoes, being hereby saved and reserved to the Members of the said Society of the Middle Temple for ever hereafter;

Steps from Elm Court into Fig Tree Court.

Inner Temple Cloister.

And also all that Building on the East side of Fig Tree Court aforesaid, with the Cloysters or Passage under the same, and the Soil and Ground thereof; and also all those two Staircases or Low Buildings on the North side of the same Court, with the Passage between the same, and the Ground and Soil thereof; and also all that little Cloyster or Passage called the Inner Temple Cloyster, and

the Ground and Soil thereof, lying at the South end of the Cloysters called the Middle Temple Cloysters, saving and reserving the way and passage in, by, and through the said Inner Temple Cloyster to a Shop at the West end thereof, belonging to the Middle Temple; and also all that Stair-case or Building adjoining to the Inner Temple Hall, towards the West end thereof, extending over the Butterys belonging to the said Hall, and over the Inner Temple Cloyster aforesaid, and adjoining to the South end of the Buildings over the Middle Temple Cloysters;

Inner Temple Hall.

And also all those Buildings called the Inner Temple Hall, Parliament Chambers, Library, Butterys, Kitchen, and Cellars, and the Chambers and Rooms, Stairs and Passages, belonging to or under them, or any of them, with the Ground and Soil thereof;

And also all that the said Rent or Annual Payment of Ten Pounds, formerly issuing or paid out of the aforesaid Tenements called the Inner Temple, or out of the Treasury, or by the Treasurer of the same Society, if the same be now subsisting, and vested in the said Sir Philip York and others;

Southern moiety of the Temple Church.

And all that the Southern Moiety or half part of the Temple Church, that is to say, of the Chancel, Nave, Belfrey, and Rounds, from the middle thereof southwards, with all the Seats, Roofs, Parts of Roofs, Walls, Cells, Aisles, and Vaults, of and in such Southern Moiety or half part of the said Church, and the Soil belonging to the same Moiety; the Chapel or Oratory adjoining to the South side of said Church, near the Rounds of the same Church, wherein the Records of the Fine Office and the Custos Brevium Office now are and for several years have been kept, and the Vestry Room adjoining also to the South side of the same Church only excepted;

And one undivided Moiety of said Chappel, Land, Vestry Room;

And one undivided Moiety or half part of the Bells, Organ, Pulpit, Reading Desk, Clerk's Desk, and Communion Table, belonging to the said Church;

Undivided moiety of Master's House and Garden.

And also one undivided Moiety or half part of the House and Garden enjoyed by the Master, Keeper, or Rector of the House and Church aforesaid, with liberty for the Drain aforesaid;

Undivided moiety of Church-yard.

And also one undivided Moiety of the Ground and Soil of the Churchyard or Cemetery belonging to said Church, and lying on the North side thereof;

And one undivided Moiety or half part of the Court or Passage called Churchyard Court, and also of the Soil or Void Ground leading from said Churchyard Court to the Ground Rooms at the back of Mr Owen Lloyd's Shop, situated on the North side of the Church Porch, containing in length from North to South, on the East side thereof, thirty-seven feet, and on the West side forty feet and two inches, and in breadth from East to West at that end next to Churchyard Court ten feet and five inches, and at the other end next to Mr Owen Lloyd's Shop seven feet of assize or thereabouts;

Undivided moiety of soil of Church Porch.

And one undivided Moiety of the Soil or Void Ground of the Church Porch now paved with flag stones, and of the Area or Void Ground from the South side of said Church Porch to the Middle Temple Cloysters;

Undivided moiety of Lamb Buildings Court.

And one undivided Moiety of all that Court or Void Ground between the Middle Temple Cloysters and the Lamb Buildings, formerly called the South Churchyard and now called the Lamb Buildings Court, and of the Ground and Soil at each end of the said Lamb Buildings, the Ground within the Pallisadoes at the front of said Lamb Buildings, together with the Pallisadoes thereof excepted;

And one undivided Moiety of the stone Passage leading from the Inner Temple Cloyster to Elm Court, so far only as the Inner Temple Buildings do extend;

And also one undivided Moiety of the Bridge, Stairs, and Causeway leading from the Middle Temple Water Gate, at the bottom of Middle Temple Lane, to the River Thames, together with the liberty of a Way and Passage, free ingress, egress and regress into and through the Middle Temple Gates opening into Fleet Street, and in, to, and through the Lane leading from Fleet Street to the Water Gate towards the River Thames aforesaid, for the use of all Members of the Society of the Inner Temple for the time being, on Foot or on Horseback, and with Horses, Coaches, Carts, and Carriages, at all seasonable times, in such and as ample manner as the Members of the Middle Temple aforesaid do and shall use the same, the said Society of the Inner Temple paying to said Society of the Middle Temple for ever hereafter the sum of six pounds yearly at the feast of S^{t}. Michael the Arch Angel for and towards the charges of Paving and Repairing said Middle Temple Lane;

Undivided moiety of Temple Bridge.

Rights of Way.

And also with the liberty of a Way or Passage in and through the Gates opening to the River Thames, to Devereaux Court and Paul's Gravehead Court, for the use of the Members of said Society of the Inner Temple for the time being, at all seasonable times, in such and as ample manner as the Members of the said Society of the Middle Temple do and shall use the same;

Together with the said Leet View of Frankpledge, Assize and Assay of Bread, Wine, and Ale, within the limits of the Inner Temple aforesaid, in case the same are now subsisting and vested in said Sir Philip York and others;

And all other Jurisdictions, Franchises, Liberties, Privileges, Immunities, and Exemptions, within the premises hereby before Bargained and Sold, as before granted by said late King James the First; and also all Easements, Privileges, Immunities, Profits, and Commodities whatsoever to said premises before mentioned and intended to be

hereby Bargained and Sold as aforesaid, or any of them, or any part thereof belonging or therewith used and enjoyed in such manner as the same have heretofore been used and enjoyed.

Reservations to the Middle Temple.

Reservation to the Middle Temple to continue the Pallisadoes in Tanfield Court behind Lamb Building, and to erect new ones from time to time in the same place in the room and stead thereof for ever hereafter; and also to continue the Pallisadoes in Hare Court at the back of the Chambers in Pump Court aforesaid, adjoining backwards to Hare Court aforesaid, and to erect new ones from time to time in the same place in the room and stead thereof for ever hereafter; and also free ingress, egress, and regress into and through the Gate at or near said Building called the Crown Office Building leading towards King's Bench Walks, and the Gates at the East side of said King's Bench Walks leading into White Fryers, on Foot or Horseback, and with Horses, Coaches, Carts, and Carriages, at all seasonable and convenient times, in such and as ample a manner as the Members of said Society of the Inner Temple do and shall use the same; and also the liberty of a Way or Passage through the Gates opening into Mitre Court, Ram Alley, and Serjeants Inn aforesaid, at all seasonable times, in such and as ample manner as the Members of the Inner Temple do;

Habendum—unto said Edward Barker and others, their heirs and assigns, for ever; in trust nevertheless for the purposes appointed in said Letters Patent, videlicit, to serve and be employed for the Entertaining, Education, and Habitation of the Students and Professors of the Law residing within said Inner Temple from henceforth hereafter.

2nd Testatum—Bargain and Sale to said Sir Thomas Clarke and others, their heirs and assigns.

Middle Temple.

Parcels—All that Ground and all those Buildings called or known by the name of the Middle Temple, as the same are

now used and enjoyed by said Society of the Middle Temple, that is to say, all that great Gate and Gate Place of said Society of the Middle Temple called the Middle Temple Gate, opening into the said Street called Fleet Street towards the North, and near unto the Gate there called Temple Barr; together with the two Shops on each side of the said Middle Temple Gate, and the Ground and Soil of said Gate and Gate Place and Shops; and all Chambers and Buildings over the same; Great Gate.

And all that Ground and Lane leading from said Middle Temple Great Gate to the Stone Bridge called the Temple Water Bridge, at the South end of said Lane, together with the Water Gate and Gate Place at the South end of said Lane, opening to said Bridge and River of Thames; and all Erections, Buildings, and Sheds over said Gate and Gate Place, or adjoining or near thereunto, with the sole custody of the Keys of the same two Gates, saving and excepting nevertheless such free ingress, egress, and regress, for all Members of the Inner Temple, in and through the same at all times as the Members of the Middle Temple (said Society of the Inner Temple paying to the Middle Temple six pounds yearly as aforesaid); Middle Temple Lane. Water Gate.

And also all those three Staircases with the Shops, Chambers, and building, on the East side of said Middle Temple Lane, at or near the North end, and adjoining South to Buildings belonging to Hare Court, and the Ground and Soil thereof, and all that Staircase, with the Shops, Chambers, and Buildings on the West side of said Lane near to said Middle Temple Great Gate, and the Soil and Ground thereof; Shops and Chambers in Lane.

And all those Courts called or known by several names of Brick Court, Essex Court, New Court, Hall or Fountain Court, and Garden Court, and all the Ground, Soil, Staircases, Chambers, Shops, and Buildings of and in same Courts; Brick Court. Essex Court. New Court. Garden Court.

Gate into Palsgrave Head Court.

Gate into Devereux Court.

And all that Gate or Door and Gate, or Door Place leading from Essex Court aforesaid, into the above-mentioned Court called Paul's Grave[1] Head Court; and all that other Gate and Gate Place leading from New Court aforesaid into a Passage called Devereux Court above mentioned; together with the sole custody of the Keys of the two last mentioned Gates (excepting nevertheless for the Members of the Inner Temple such privileges as the Members of the Middle Temple);

Middle Temple Hall.

And also all that large Hall or Building called the Middle Temple Hall, with its appurtenances;

Buildings on West side of Lane (now Nos. 1 and 2 Plowden Buildings).

And all those two ranges of buildings on the West side of said Middle Temple Lane, the one of them beginning at the South East corner of said Court called Hall or Fountain Court, and leading down same Lane Southwards to the Passage between the South end of same range of Buildings and the North end of the other of them, commonly called Barbons Buildings, and leading from said Middle Temple Lane into Garden Court;

Barbon's Buildings (now No 3 Plowden Buildings).

And all that the said other range of Buildings leading from said last-mentioned Passage down to said River Thames towards the South, and lying between said Middle Temple Lane towards the East, and the Middle Temple Garden towards the West, commonly called the Barbons Buildings, together with said Passage leading into Garden Court;

Middle Temple Garden. Hall or Fountain Court.

And also said Middle Temple Garden, and the Fountain in said Court called Hall or Fountain Court, and all other Ground, Soil, Staircases, Chambers, Shops, Buildings, and Erections whatsoever, situate, standing, lying, or being on said West side of said Middle Temple Lane, and bounded West by buildings belonging part to Essex Street and part to Devereux Court, and by a Messuage or Tene-

[1] See *ante*, p. 77 note. In the Records it is called "Palsgrave." The draftsman appears to have erred in his endeavour to find the origin of the name.

ment situate next the river Thames, now in the occupation of John Henley, and are hereby declared to be the Buildings, Ground and Soil of the Middle Temple, and also all that Ground and Soil;

Elm Court.

And all those Buildings on the East side of the Middle Temple Lane, extending from said void piece of ground lying at the back of Crown Office Building on the South side and to Buildings in Hare Court on the North, that is to say, all that Court called Elm Court, and all those four Staircases or Buildings in the same Court, and the Soil and Ground thereof, and all Erections thereon; and all the Soil and Ground, with the Sheds or Buildings thereon, lying at the back of the Buildings on the South side of said Elm Court between the two Jetts or Breaks of the back part of said Buildings of same Court, and abutting on said void piece of ground there belonging and allotted to said Society of the Inner Temple on the South; and all that Passage leading from said Court called Elm Court to Fig Tree Court, and the Stone Steps into the same, and a piece of Ground in Fig Tree Court containing in length sixteen feet and in breadth three feet eight inches or thereabouts inclosed with Pales by the Middle Temple; and all that Stone Passage leading from Middle Temple Lane into Elm Court, and all other Passages leading from said Court to Inner Temple Lane Cloister, so far as the Buildings extend; And one undivided moiety of the residue of the said passage so far as the Inner Temple Buildings adjoining thereto extend.

Passage and stone steps into Fig Tree Court.

Pump Court.

And all that Passage leading from said Middle Temple Lane into Pump Court; And all that said Court called Pump Court, and all those six Staircases of Buildings in the same Court, to wit, three Staircases on the South side thereof, one Staircase at the West end thereof and two Staircases on the North side thereof; And all the Chambers and Buildings which the same six Staircases do lead unto, with the Ground and Soil thereof, and all that

Passage on the South side of same Court and leading to Elm Court;

And also all that the above-mentioned Area or void piece of ground at the South West corner of Hare Court, between said Fine Office Buildings and the back part of the Buildings on the North West corner of Pump Court, next the Middle Temple Lane, together with the Pallisadoes enclosing same;

Middle Temple Cloisters.

And all those Buildings and Chambers called the Middle Temple Cloysters, situate between Pump Court towards the West, Lamb Building, formerly part of South Churchyard East, and the Inner Temple Cloysters South, and the Ground and Soil thereof; And all that Shop on the West side of said Middle Temple Cloysters then in the occupation of Mr. Walthoe, Bookseller; And all that one other Shop in the possession of R. Barber, Eastward on part of said Middle Temple Cloysters, and on part of said Inner Temple Cloyster, and to the South on said Stone passage leading from said Court, called Elm Court, to said Inner Temple Cloyster, together with the way and Passage leading to last-mentioned Shop in and through the Inner Temple Cloyster, and the Ground and Soil of said two Shops:

Lamb Building.

And all that Building called Lamb Building, and the Ground and Soil thereof; and the Pallisadoes at the front of same Building, with the Ground within those Pallisadoes, together with liberty to continue the Pallisadoes in Tanfield Court, at the back of Lamb Building, and to erect new ones in stead thereof;

Undivided moiety of Lamb Building Court.

And one undivided Moiety of said Court called Lamb Building Court, and of the Void Ground and Soil at the end of Lamb Building;

Chambers and Shops North-East corner of

And all those Chambers, Staircases, and Buildings, and the Ground and Soil thereof at the North-East corner of said Middle Temple Cloysters, and adjoining backward to

said South side of said Temple Church, and extending on the North side of said Lamb Building Court from said Middle Temple Cloysters to a small Building belonging to the Inner Temple, situate between the two Staircases on the North side of same Court; And all that Shop and the Chambers over the same, with the Staircase leading thereto, situate on the East side of said small Building, and the Ground and Soil thereof; Saving such use and Liberty of the Stairs of said Staircase as is before allotted to the Inner Temple; And also all that Shop at the South-West corner of the Church, and at the North-East corner of said Middle Temple Cloysters, or very near to said Church in the occupation of Robert Podmore, Stationer, and now in the tenure or occupation of Thomas Garnett, Stationer, and the Ground and Soil thereof;

Cloisters and South side of Church.

And all that Shop, situate on the North side of the said Church Porch, near the Great Door of said Church, in the possession of Owen Lloyd; And all those Ground Rooms on the East side of Inner Temple Lane, behind the same Shop last mentioned, and the Ground and Soil thereof; And all that Staircase on the East side of Inner Temple Lane, at the South or lower end thereof, being the last Staircase from the Inner Temple Gate, in that range of Buildings. And all Chambers and Buildings on each side of same Staircase, with the same Staircase, and the Ground and Soil thereof, and under the Walls and Buildings of the same Staircase, except the Soil of the Steps leading from Inner Temple Lane into the Church Porch, and of the Shop on the West side of said Church Porch, belonging to the Inner Temple, and the Soil of the Church Porch, which Soil of the Church Porch is in common between the two Societies the Chambers on the South side of same Staircase being in part built over said Church Porch, in other part over the passage leading from the Inner Temple Lane into said Church Porch, and in other part over the Shop on West side of said Church Porch, and adjoining Westward

Chambers and shops East side of Inner Temple Lane and North side of Church.

Undivided moiety of soil of Church Porch.

Buildings over Church Porch.

upon the Buildings of the lowest Staircase of the Inner Temple at the bottom of Inner Temple Lane, and Southwards in part upon Buildings of the Inner Temple over the Passage leading from Hare Court to the Church Porch;

Church Yard Court.

And all those two Staircases or Buildings, with the Chambers on each side of said Staircases, and the Ground and Soil thereof, on the North side of the Court or Passage called Church Yard Court, and abutting on the Churchyard towards the East and said Inner Temple Lane towards the West; And all those Ground Chambers in said Building or Staircase on the South side of said Church Yard Court, and at the East end thereof near the North side of said Church, and adjoining to the Churchyard towards the East, and the Cellars under the same, with the Stairs leading into said Cellars, and the Ground and Soil of said premises, and the Ground and Soil between said Chambers and said Temple Church;

And also all that rent or annual payment of Ten pounds, formerly issuing or paid out of the aforesaid Tenements called the Middle Temple, or out of the Treasury or by the Treasurer of the same Society, if the same be now subsisting, and vested in the said Sir Philip York and others.

Northern moiety of the Temple Church.

And all that the Northern Moiety, or half part of the said Temple Church, viz., the Nave, Chancell, Belfrey, and Rounds, from the Middle thereof Northwards, with all Seats, etc., in such Northern moiety, or half part of the said Church, and the Soil belonging thereto; and one undivided Moiety of said Chappell, and all other the premises herein-before described;

Habendum—unto said Sir Thomas Clarke and others, their heirs and assigns for ever, In Trust, for the Uses and Purposes appointed by the said Letters Patent, to serve and be employed for the Entertaining, Education, and

Habitation of the Students and Professors of the Law, residing within the Middle Temple;

All which said Inner Temple Lane, Inner Temple, Hall, Courts, Buildings, and Premises, herein and hereby Bargained and Sold unto said Edward Barker and others (except the Ways, Lights, Easements, and Conveniences for the Members of the Middle Temple, and except the undivided moieties aforesaid) are particularly described in the plan hereunto annexed, and painted with red colour;

And all which said Middle Temple Lane, Middle Temple, Hall, Courts, etc., herein and hereby Bargained and Sold unto said Sir Thomas Clarke and others (except the Ways, etc., for the members of the Inner Temple), are particularly described in the plan hereunto annexed and painted green colour;

And the Master's House and Garden, and other the premises are particularly described in the plan hereunto annexed and painted yellow;

Proviso, agreement and declaration:—That it should be lawful for the Inner Temple at all times to keep watch and ward at and under their said Gate called the Inner Temple Gate, at the upper end of Inner Temple Lane, opening into Fleet Street, and to lock up and keep and order the same, and all other said Gates of said Inner Temple as heretofore have been used:

That it should be lawful for the Middle Temple at all times to keep watch and ward at and under their said Gate called the Middle Temple Gate, at the end of Middle Temple Lane, leading into Fleet Street, and to lock up and keep all other Gates of said Middle Temple as heretofore have been used;

That said Bridge and Causeway leading into the River Thames shall be repaired as follows: the Eastern side thereof, with the Stairs on that side, by the Inner Temple; and the Western side thereof, with the Stairs on that side,

by the Middle Temple; and the Middle Stairs, with the whole area or surface of said Bridge and Causeway, by both Societies equally;

That the Inner Temple shall, at their own charge and expense, pave and repair said Inner Temple Lane, and that the Middle Temple shall, at their own charge and expense, pave and repair said Middle Temple Lane; And said Society of the Inner Temple shall for ever hereafter pay to the Middle Temple yearly the sum of six pounds; and if it should happen that said six pounds, or any part, be unpaid by the space of forty days, it should be lawful for the Middle Temple to shut and lock up said Middle Temple Great Gate, next Fleet Street aforesaid, against the Members of the Inner Temple, and to prevent them from passing and repassing until said sum of six pounds, or any part thereof, should be fully satisfied;

Also said two Societies concert with each other in repairing the ground and premises held in common as aforesaid, and the charges and expenses of all repairs shall be borne equally between them (except the pavement of broad or flag stones leading from Middle Temple Cloysters to Lamb Building aforesaid, and before the front of same Building, which are to be repaired by the Middle Temple);

That each of said Societies shall for ever have and enjoy the use and benefit of Sewers, Drains, and Watercourses belonging to such Society respectively, with liberty to open, cleanse, and amend the same from time to time, and to break up any ground or pavement necessary for the doing thereof, the same Society making good the ground and pavements opened or broken up at their own sole expense;

That neither of said Societies shall vary hereafter by raising or advancing any of their respective Buildings allotted them respectively, or by any new Buildings hereafter to be erected by either Society, or do any act or acts

to the obstruction of the light coming into any of the Buildings of the other of them or of the light into any part of the Church, or to the stopping or obstructing of any Sewers, Drains, or Watercourses belonging to the other Society; nor shall either of said Societies do any damage, prejudice, or annoyance to the other of them;

That the Inner Temple shall not be liable to the repairs of any of the Gates of the Middle Temple; nor shall the Middle Temple be liable to the repairs of any of the Gates of the Inner Temple;

And Lastly, that the rent of five shillings, which had been demanded and taken by the Middle Temple for or in respect of a Vault made before the Shop adjoining to the South side of said church and belonging to the Inner Temple, in the occupation of William Crawford, shall not for the future be taken, but the same is hereby for the future released, determined, and disclaimed.

Site of St. Ann's Chapel

1st May 1826. Conveyance to the Inner Temple of an undivided moiety of the site of St. Ann's Chapel and land at North East corner of the Middle Temple Cloisters.

Parties—First, George Courthope and others, Masters of the Bench of the Middle Temple.
Second, John Lord Ridesdale and others, Masters of the Bench of the Inner Temple.

Conveyance to parties of the 2nd part.

Parcels—All that one undivided moiety of and in the scite of the Chappell or Oratory late adjoining to the South side of the Temple Church near the rounds of the same Church wherein the Records of the Fine Office were lately kept. And also all that the scite of all those chambers stair-case and buildings and the ground and soil thereof at the North East corner of the Middle Temple Cloisters and adjoining backward to the South side of the said Temple Church.

Essex Wharf and Premises adjoining

14th December 1857. Conveyance of Essex Wharf and premises on West side of Wharf.

Parties—First, Benjamin Hunt and Edward Bannister.
Second, Rev^{d} Thomas Maxwell Hunt and Elizabeth his wife.
Third, John Balguy, Q.C., and others.

Grant to parties of 3^{d} part.

Parcels—All that wharf fronting to the River Thames and adjoining the West side of the Temple and extending to the passage to the Temple Pier at the bottom of the steps in Essex Street in the Strand, in the parish of S^{t} Clement Danes in the County of Middlesex known by the name of the Essex Wharf, together with dwelling house and garden, counting houses, stables, lofts, sheds and offices, and other erections and buildings thereto belonging, all which premises are now in the occupation of Mess^{rs} John Gwynne and Son under an Indenture of Lease dated 13th Oct. 1852. And also all those the granary and warehouses situate standing and being on the West side of the said Wharf and over the Dock as the same last mentioned premises are now or lately were in the occupation of Messrs. Ingram Cook and Little under an Indenture of Lease dated 18th Sept. 1852, the abuttals boundaries and dimensions of which said premises are more particularly delineated according to a recent survey and admeasurement thereof in the plan drawn in the margin of these presents and are therein coloured pink.

Land in the rear of the North Side of Brick Court

31st December 1877. Deed of Arrangement with Messrs. Child and Co.

Parties—First, Biggs Andrews and others (Trustees of the Middle Temple).

Second, Frederick William Price and another, carrying on business as Child and Co.

The Middle Temple Trustees convey to Child and Co. all the piece of ground coloured yellow on plan lying to the North of the dotted line G—H on the plan with the buildings etc., Child and Co. convey to the Middle Temple Trustees all on South of said line. Arrangement as to the buildings to be erected and party walls.

Buildings and Land North and West sides of the Temple Church

12th November 1879. Deed of Conveyance and Arrangement for giving effect to the scheme whereby the buildings on the North and West sides of the Church had been removed.

Parties—First, The Right Honourable James Stuart Wortley and others, Trustees for the Inner Temple.
Second, Biggs Andrews, Esq., Q.C., and others, Trustees for the Middle Temple.
Third, Charles Shaw, Esq., Under-Treasurer of the Middle Temple.

Dick's Coffee House

5th January, 1881. Conveyance by J. W. Butterworth to the Right Honourable Sir R. J. Phillimore and others of No. 8 Fleet Street called Dick's Coffee House.

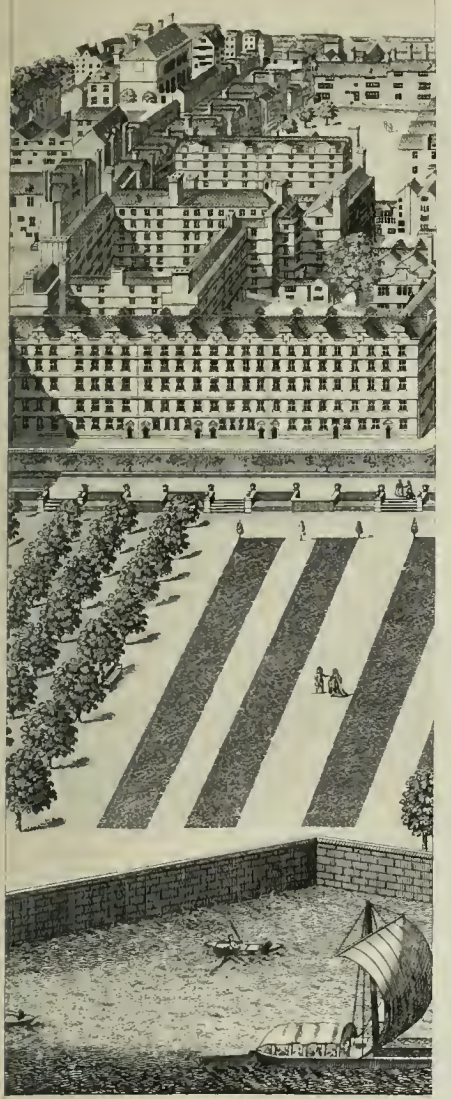
Essex Street Property

18th August, 1871. Conveyance of No. 33 Essex Street, Strand.

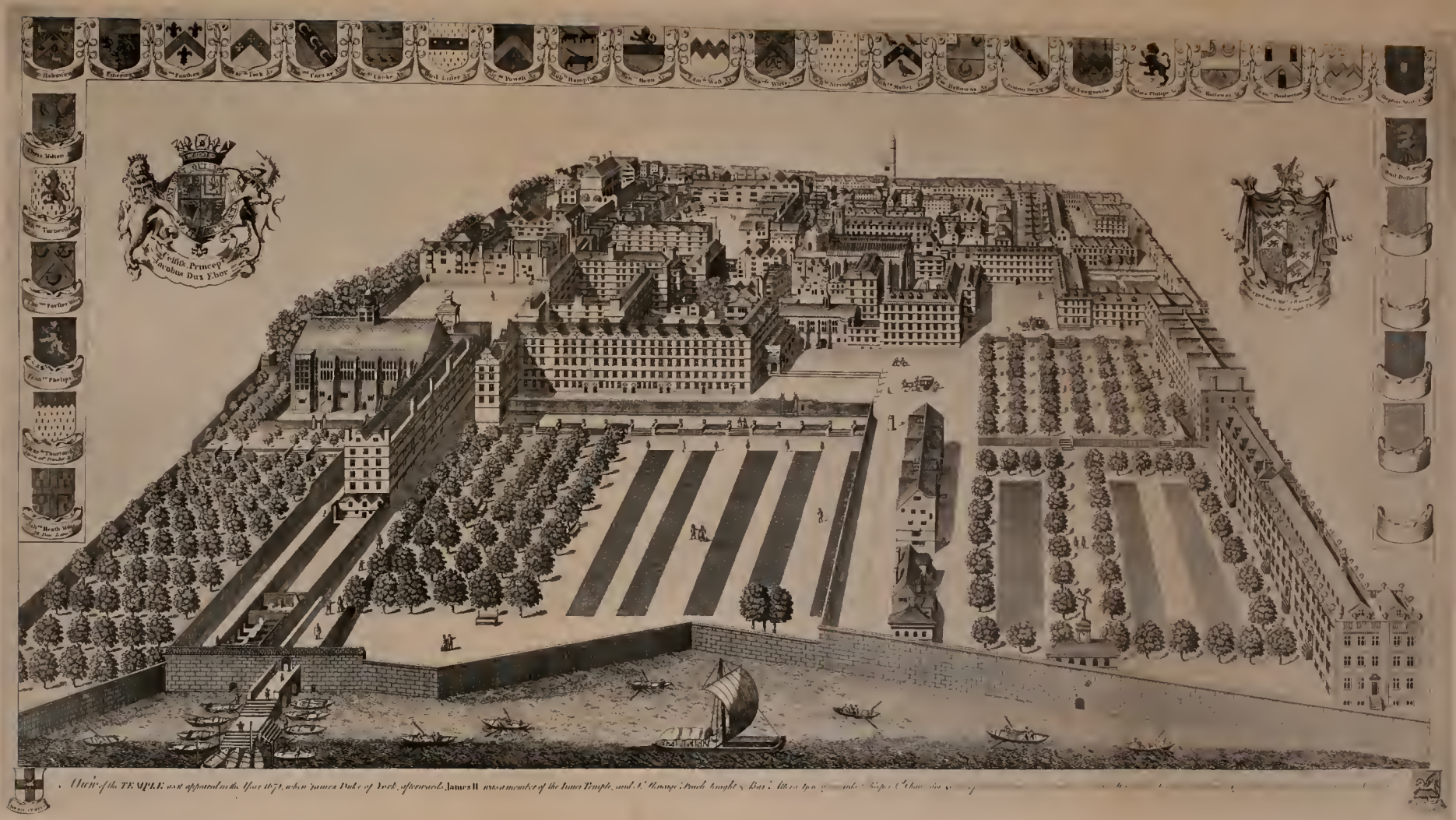
27th May, 1884. Conveyance of land in the rear of Nos. 24 and 25 Essex Street, Strand.

15th July, 1890. Conveyance of No. 32 Essex Street, Strand.

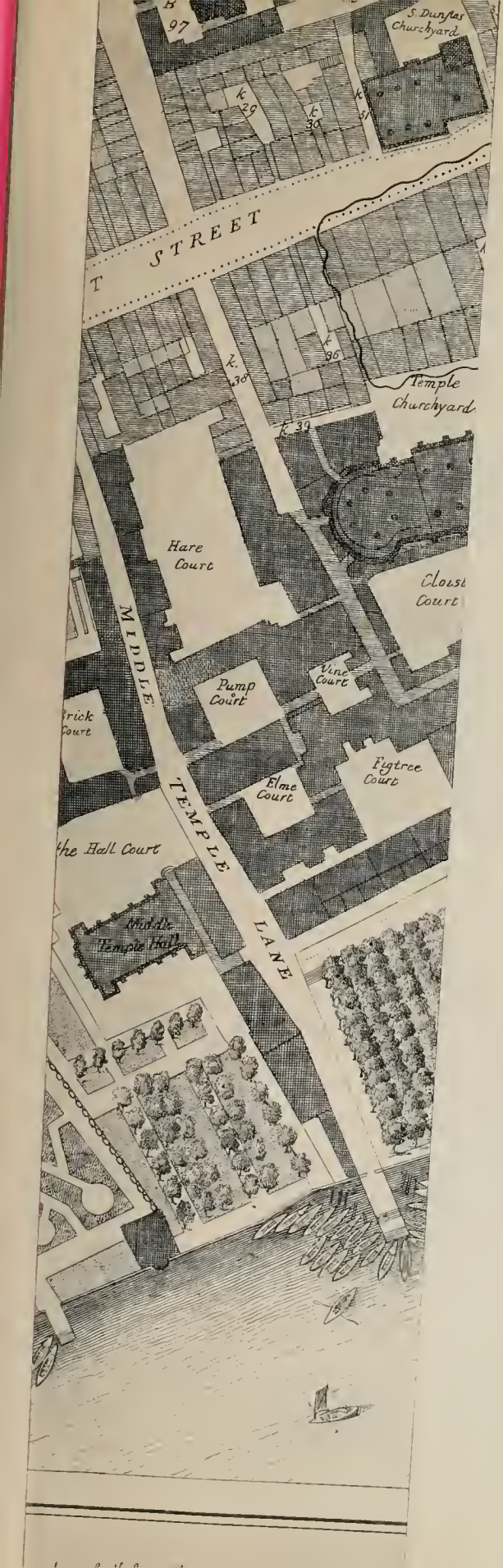
30th September, 1909. Conveyance of Nos. 28, 29, 30, and 31 Essex Street, Strand.



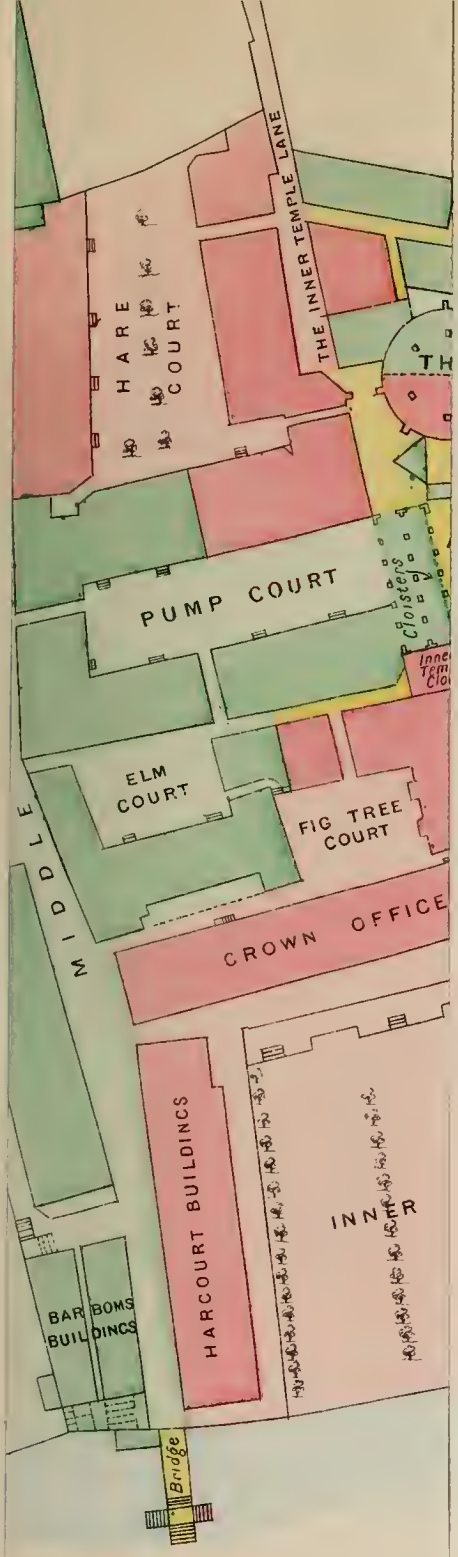
ember of the Inner Temple, and L.t Menage Punch, Knight &c. &c.



View of the TEMPLE as it appeared in the Year 1671, when James Duke of York, afterwards James II was a member of the Inner Temple, and Sr Thomas Peyton Knight & Bart Master of the Temple Church


S. Dunstas Churchyard
STREET
Temple Churchyard
Hare Court
Clouse Court
MIDDLE
Pump Court
Vine Court
Elme Court
Figtree Court
TEMPLE LANE
the Hall Court
Middle Temple Hall

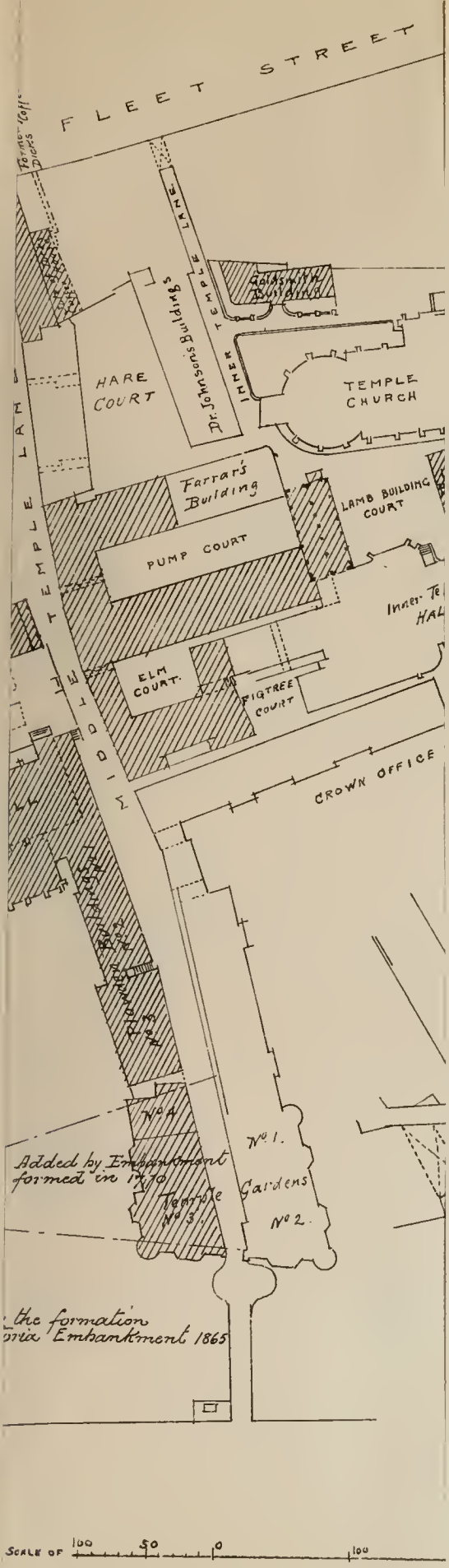
Plan of the Inner & Middle Temple. Copied by order of John Locke, Esq. 2 C., M. P., Treasurer, 1871. From the Map of London, 1677, by John Ogilby



nal plan about 100 Feet t

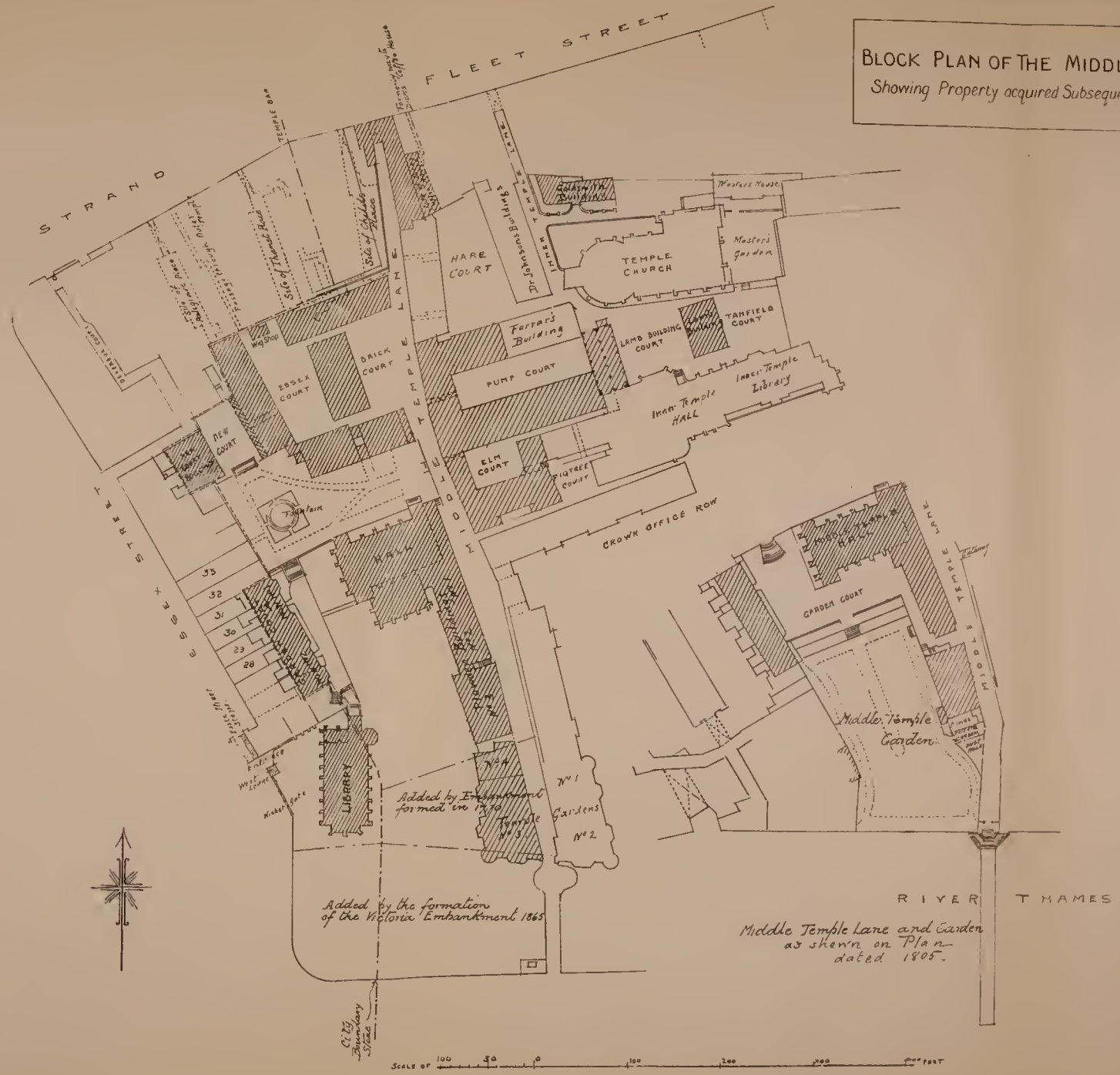
PLAN ON DEED OF PARTITION
2ND NOV. 1732

Scale of original plan about 100 Feet to an Inch
Scale of this Plan about 300 Feet to an Inch


FLEET STREET
Temple Bars
TEMPLE LANE
Dr. Johnsons Buildings
INNER TEMPLE LANE
Goldsmith Buildings
HARE COURT
TEMPLE CHURCH
Farrar's Building
LAMB BUILDING COURT
PUMP COURT
ELM COURT
PIGTREE COURT
CROWN OFFICE
INNER TEMPLE
No 4
No 1.
Gardens
No 2.
Added by Embankment formed in 17
Temple No 3.
the formation
ria Embankment 1865
SCALE OF 100 50 0 100

BLOCK PLAN OF THE MIDDLE TEMPLE

Showing Property acquired Subsequently to 1732



APPENDIX II

AN ACCOUNT OF THE READERS' FEASTS AND READINGS

APPENDIX II

AN ACCOUNT OF THE READERS' FEASTS AND READINGS

Extract from Dugdale's "Origines Juridiciales," p. 204

AFTER referring to the mode of appointment by the Bench of Readers who (*temp.* Hen. VIII), appear to have been, generally, the two ancient Cupboard[1] men, of whom there were four each Reading time, being the four senior Barristers of the House, Sir Wm. Dugdale proceeds:

"The two parties nominated, as aforesaid, for Readers, are the next day at Dinner, called to the Bench Table; where, from thence forward they take their Commons, and are to bestow upon the rest of the Benchers and antient Baristers, a certain proportion of Wine for their first welcome.

"On the other side, those who are put by their Readings, remove from the Bar table (where before they used to sit) unto a Table called the Auncients Table, on the other side of the Hall, opposite to the Bar table; where also they give a garnish of Wine for their welcome; and from thenceforth they are freed from all Mootes and Exercises in the House, and likewise from the ceremony of walking the old measures about the Hall at the times accustomed.[2] And it is no disgrace for any man to be removed hither; for by reason of the excessive chardge of Readings, many men of great

[1] As to the meaning of the word "Cupboard" see *ante*, p. 58, note.

[2] The last occasion upon which the ancient ceremony of dancing round the coal fire was performed was in the year 1733, in the Inner Temple, when Lord Talbot took leave of that Society on receiving the Great Seal. The Lord Chancellor, Master of the Temple, Judges and Benchers led by the Master of the Revels, danced, or rather walked round about the coal fire, according to the old ceremony, three times, during which time they were aided in the figure of the dance by Mr. George Cooke the Prothonotary, then of sixty years, and all the time of the dance the ancient song accompanied by music, was sung by one Toby Aston dressed in a bar-gown, whose father had formerly been Master of Plea Office in the King's Bench. (Note, p. 68, to the 1824 edition of Roger North's "Discourse on the Study of the Laws.")

learning and competent practise as well as others of less learning but great estates have refused to Read, and are here placed.

"The two Readers, new chosen as aforesaid, at the next Feast day of All Saints (on which day such Judges and Serjeants at Law, as have issued out of this Society, are highly feasted, and come in their Scarlet Robes) are bound to give their attendance, their duty being to meet the Judges and Serjeants at the lower end of the Hall, and to conduct them upwards. For distinction, and order's sake, the one of them, viz. the Ancient, hath a white staff in his hand; the other a white Rod, with which they usher in the meat, following next after the Musick. When the meat is brought to the Table (which at such solemn Feasts is allways performed by young Gentlemen of the House, under the Bar) the one of the two new Readers elect, receives every Dish of the Gentlemen who carried it, and placeth it on the Table, in decent order, the other standing by to wait on the Judges. And during the Feast, they both, with solemn curtesies, welcome both the Judges and Serjeants.

"Besides this, the Puisne Reader elect serves every Mess throughout the Hall, receiving it from the Steward, and placing it on the Table. Dinner being ended, they wait on the Judges and Serjeants; ushering them, either into the Garden, or some other retiring place, untill the Hall be clensed, and prepared; and then they usher them again into the Hall, and place them in their rooms, one after another. This being done, the Auncient of the two that hath the staff in his hand, stands at the upper end of the Bar Table; and the other, with the white Rod, placeth himself at the Cupboard, in the middle of the Hall, opposite to the Judges; where the Musick being begun, he calleth twice the Master of the Revells. And at the second call, the Auncient, with his white staff, advanceth forward, and begins to lead the measures; followed, first by the Baristers, and then the Gentlemen under the Bar, all according to their several antiquities: and when one measure is ended, the Reader at the Cupboard calls for another, and so in order.

"All such as are in Commons, under the degree of Benchers (except only them of the Auncients Table, who are past their Readings) ought not to be absent from solemn Revells: and whoever they be that do absent themselves, do forfait, or are finable iii^{s} iiii^{d}. And

whosoever of the Bar that are made choice of to carry up Wafers (on grand days) to the Judges, and do refuse, do forfait x^{s}. And whosoever of the young gentlemen under the Bar, that refuse, do forfait v^{s}. And whosoever on days of solemn Revells, do refuse to carry up Bread and Beer to the Masters of the Bench do forfeit, Baristers vi^{s} viii^{d} and others iii^{s} iiii^{d}.

"When the last measure is dancing, the Reader at the Cupboard calls to one of the Gentlemen of the Bar, as he is walking or dancing with the rest, to give the Judges a Song: who forthwith begins the first line of any Psalm, as he thinks fittest; after which, all the rest of the Company follow, and sing with him. Whilst they are thus walking and singing, the Reader with the white Rod, departs from the Cupboard, and makes his choice of a competent number of Utter-Baristers, and as many under the Bar, whom he takes into the Buttry; where there is delivered unto every Barister a Towell, with Wafers in it; and unto every Gentleman under the Bar, a wooden Bowl, filled with Ipocras, with which they march in order into the Hall, the Reader with his white Rod going formost. And when they come near to the half pace, opposite to the Judges, the Company divide themselves, one half (as well Baristers as those under the Bar) standing on the one side of the Reader; the other on the other side: and then, after a low solemn Congee made, the Gentlemen of the Bar first carry the Wafers; the rest, with the new Reader, standing in their places. At their return they all make another solemn low Congee, and then the Gentlemen under the Bar carry their Bowles of Ipocras to the Judges; and returning, when the Judges have drank, they make the like solemn Congee, and so all depart, saving the new Readers elect, who wait upon the Judges until their departure; and then usher them down the Hall, unto the Court Gate, where they take their leaves of them.

"In the self same manner they entertain the Judges and Serjeants on All Hallown day and on the Feast day of the Purification of our Lady. Which two Feasts, viz. All Saints and Candlemass, are the only Feasts in the whole year made purposely for the Judges and Serjeants in this Society; but of later time, divers Noblemen have been mixed with them, and solemnly invited as Guests to the Dinner, in regard they were formerly of the Society.

"As for the chardge of these Feasts, it is cast amongst the Gentlemen of the House, in their Commons; no man exempt, if he be within the City, though not in Commons; for in such Case he is called Visus in villâ, and shall pay half that weekes Commons, wherein the Feast day happens, though he take none.

"Moreover, for a farther honour to the Judges and Serjeants at Law, two auncient Baristers of the Society are chosen to invite them to these Feasts; who, to that end, do repair to their several Chambers, four or five days before. Likewise, when they are in the Hall, and before they take their places, two antient Utter-Baristers are appointed to wait on them, with Basins and Ewers of sweet water, for the washing of their hands; and two other like antient Baristers with Towells.

"Besides these solemn Revells or measures aforesaid, they had wont to be entertained with Post Revells, performed by the better sort of the young Gentlemen of the Society, with Galliards, Corrantoes, and other Dances; or else with Stage-plays;[1] the first of these Feasts being at the beginning, and the other at the later end of Christmass. But of late years, these Post Revells have been disused, both here and in the other Innes of Court.

"The next duty, which these new Readers are in time to perform, are their Exercises within the House; which, together with the young Gentlemen under the Bar, and the new-chosen Readers, they perform in this manner.

Sir W^m^ Dugdale then explains the duty of the Readers to sit at the Mootes and proceeds:—

"Then follows the last peculiar Act and Exercise of the Reader, being his Reading; which begins regularly in Lent, viz. the first Munday of clean Lent; and in Summer the first Munday in

[1] The two specially recorded occasions of stage-plays in the Middle Temple Hall were (1) Shakspeare's "Twelfth Night; or what you Will," performed at the Readers-feast on Candlemas day, 2nd February 1601-2, as appears from John Manningham's diary, and (2) Davenant's masque, "The Triumphs of the Prince d'Amour" at Shrove-tide in the year 1635, when the Queen, the Prince Elector, and many ladies of the Court were present. Generally relating to the Inns of Court masques, see "A Guide to the Inns of Court," by R. R. Pearse (London, 1855) cap. V; and see also *ante*, p. 45, note.

August, unless those dayes be Festival, and then it begins the day following—Howbeit, the Reader, having first absented himself out of Commons for the space of a week, in which time he seldome comes abroad, that his entrance may be with the more state, appears first as a Reader, at the Church, the Sunday after-noon next before his Reading, accompanyed by such Benchers as are in Town; whereof two are appointed for his Assistants (being, for the most part, the two next precedent Readers) and attended by twelve or fourteen Servants at the least, in one livery; and the same night at Supper, he takes his place in the Hall, in a Chair, at the upper end of the Bench Table.[1]

The next morning he makes choice for his Sub-Lecturer of a puisne Gentleman of the House, to whom he delivers his bag of Bookes and papers; and then repairs unto the Parliament House to Breakfast. Which ended, he goes into the Hall, where the whole Society expects his coming; and resting at the Cupboard, doth there take the Oaths of Supremacy and Allegiance. Then he takes his place towards the lower end of the Bench Table, where the Sub-Lecturer doth first, with an audible voice, read over the Statute, or at least that branch of it that he hath chosen to read on.[2]

This ended, the Reader begins with a grave speech, excusing his own weakness, with desire of their favourable censures; and concluding with the Reasons wherefore he made choice of that Statute. Then he delivers unto them his divisions made upon the Statute, which are more or fewer, as he pleaseth; and then puts ten or twelve Cases upon his first division; of the which, the puisne Cupboard-man, before spoken of, makes choice of one to argue; and in his Argument, endeavours, what in him lyes, to oppose the Reader's conclusion. After him follow the rest of the Cupboard men standing at the Cup-board: then the Benchers, who are placed on a form opposite to the Reader, argue in their turnes; and last of all, the Reader himself, who maintains his own conclusion; and oftentimes such Judges or Serjeants at the Law as are of this Society, come to

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[1] This custom still prevails at Readers' Feasts, see *ante*, p. 33.

[2] Stow, in "Survey of London," cap. XXI, says that the first day he makes choice of some Act or Statute whereupon he grounds his whole reading for that vacation.

argue the Reader's Case; who at such time come always in their purple Robes, and Scarlet Hoods, and are placed on a form opposite to the Benchers, with their backs to the Reader.

"All Arguments being ended, Dinner is served in, where he entertains the Company with a great Feast, at his own Table; with addition of one Dish extraordinary unto every Mess throughout the Hall.

"When Dinner is ended, and the Cloth taken away, the Sub-Lecturer repairs unto him, with his bag of bookes; and then one of the Cupboard-men repeats another of his Cases, and argues it against him: after whom follows the Reader, with an argument in maintenance of his own conclusion; and so that days Exercise is ended.

"This Course he observes three days in a week, untill the end of the Reading;[1] viz. every Munday, Wednsday, and Friday, the other intermediate days being spent in Feasting, and entertainment of Strangers, who are commonly great Lords, and other eminent persons: but, be the Guests of never so high a degree, the Reader, within the Precincts of the House, hath precedence of them; and at the Table keeps his Chair at the upper end. His expences, during this time of Reading, are very great; insomuch as some have spent above six hundred pounds in two days less than a fortnight, which now is the usual time of Reading.

"Although latter times and examples have added to the Excess; yet heretofore, when they were most frugal, a competent proportion for entertainment of Strangers (which was held to be a lustre and honour to the House) was ever expected from them, and in some sort hath been prescribed unto them, as in part appears by an Order of the Bench, made in the reign of King Philip and Mary; whereby every Summer-Reader was enjoyned to spend xv. Bucks in the Hall, during his time of Reading, on pain of . . . marks. And shortly after (to avoid all occasion of superfluous expence) by an other Order, in the reign of the same King and Queen, the Reader was enjoyned not to exceed those xv. Bucks: but the times are

[1] Stow adds that the exercise continued three or four hours daily, and that the manner of reading, both in Lent and Summer vacations, was performed after the same manner.

altered; there being few Summer Readers, who, in half the time that heretofore a Reading was wont to continue, spend so little as three-score Bucks, besides Red Deer: some have spent fourscore, some an hundred; whereof one brace of Bucks are commonly bestowed on New Inne, to feast the Students there: And the neighbour Parishes to the Temple, do also tast of the Reader's bounty in this kind.[1] Yet some help the Reader hath from the House, which allows every single Reader one Hogshead of Wine, or five pounds in money; and a special admittance of any Gentleman into the House, or five pounds more in lieu thereof. Besides, in the last week of his Reading, a great and costly Feast is provided for the entertainment of forein Ambassadours, Earls, Lords, and men of eminent quality: which, although it be called the Reader's Feast, yet he bears no part of the chardge, the same being imposed on four gentlemen of the House; whom they call Stewards of the Feast; whereof two are Utter-Baristers, and the other two under the Bar, whose chardge is now at the least x[l] a piece; but heretofore less: for by an Order made 34 Eliz. they were to be at no farther chardge than five pounds a man.

"Heretofore the Reading continued by the space of a Month; afterwards three weekes, but of later times no more than a fortnight; beginning commonly on the Munday, and ending the Friday sevenight following; on which day, the Reader (after Breakfast) comes unto the Cupboard, with his Assistants and Cupboard-men, and there makes a grave and short speech to them, tending to the excuse of his weakness, with desire of pardon for his errors committed; which forthwith is answered by the most ancient Bencher then present, who extolleth the Reader's bounty and learning; concluding with many thanks unto him: which ended, he taketh his usual place; and having put his Cases upon the division of that

[1] By Order of 23rd January 1761 every Master appointed to be Reader in Hilary Term instead of an entertainment, and in lieu of all expenses relating thereto, shall pay into the Treasury, for the use of this Society, the sum of twenty guineas, before his reading shall be allowed and confirmed. And by Order of 14th May 1779 every Master appointed Autumn Reader, instead of providing venison, and in lieu of all expenses relating thereto, shall pay the sum of twenty guineas into the Treasury of this Society, before his reading shall be allowed.

day, two of the Cupboard men argue one of those Cases, and a third desires to know Mr Readers opinion therein the next Term: whereupon the Reader ariseth, without making any Argument at all; and taking his leave of the Society, retires unto his Chamber, and prepareth himself for his journey homewards; wherein the young Students, and many others, do usually accompany him for that days journey, bringing him forth of the Town, with great state and solemnity; and at night, bestow a great Supper upon him in his Inne, at their own chardges; and the next Morning part company.

"Yet here the formal part of the Reading ends not: for the first Parliament of the next Term, when the Benchers there assembled have dispatched their other affairs, this new Reader is sent for to come amongst them; where being come, and taking the lowest seat of the room, one of his Assistants (who commonly is the next precedent Reader) being by the Bench called to give an account of the Reading, makes a great Oration unto them; declaring the great learning and chardge of the Reader, together with the Statute that he read upon and his divisions thereupon made, with other words, tending wholly to the Reader's commendation. In answer whereof, the Reader makes another grave Oration, in his own excuse; magnifying the learned Arguments of his Assistants and Cupboard-men, as also the good order and behaviour of the young Gentlemen; with thanks to them all, for so patiently bearing with his infirmities. After which, the Bench gives him thanks, and so they altogether sit down to Supper: at what time (and not before) the Reader is an absolute and confirmed Bencher,[1] and hath voice, with the rest, in all succeeding Parliaments; and is, for the two next Readings, chosen one of the Assistants to those Readers.

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[1] See *ante*, p. 32.

APPENDIX III

CEREMONY IN THE MIDDLE TEMPLE HALL WHICH TOOK PLACE AT THE MOOTS EVERY TUESDAY AND THURSDAY NIGHT

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CEREMONY IN THE MIDDLE TEMPLE HALL WHICH TOOK PLACE AT THE MOOTS EVERY TUESDAY AND THURSDAY NIGHT

Extract from Dugdale's "Origines Juridiciales," p. 208

"IMMEDIATELY after Supper the Benchers assemble themselves in the Bay-window, at the upper end of the Hall; where, standing in order, according to their antiquity, there repairs unto them two Gentlemen under the Bar, whose turn it is to recite the Pleadings. Who, after a low obeysance, demand whether it be their pleasure to hear a Moot; and depart with an affirmative answer. Then the Benchers appoint two amongst themselves, to argue the Case, besides one of the Readers elect, who stands not in their assembly, and is to be allways one (as hath been said). Wherein note, that every man is appointed according to his turn, as thus; The Benchers of this Society are divided into two several ranks or Classes; viz. the upper Classes, consisting of the Auncienty, and the lower of the Puisnes. Now at the first Moot of every tourn, the puisne of the lower rank, and the puisne of the upper rank, are first to argue, and so afterwards of the rest in their turns. Which Order was (as it seems) devised, to the end every Bencher might once in a Term argue at one of those Mootes. When it is agreed on who are to argue, all the Benchers depart out of the Hall, leaving the rest of the Company there. The two Arguers walk a turn in the Court or Garden, untill the Hall be prepared and made ready for them; which being done, they return into the Hall, and stay at the Cup-board,[1] demanding if the Moot-men be ready. During their stay at the Cup-board, there is oftentimes a Case put unto them by one of the Utter-Bar, which is termed a Cup-board Case: And when

[1] As to the meaning of the word "Cupboard" see *ante*, p. 58, note.

the two Benchers have argued it, then the party that put the same, doth also argue it; but this is on the By: for there is no necessity of any such Cupboard Case: neither is it any part of the Exercise of the House, and therefore it is but seldome done, though every Utter-Barister may, at his pleasure, put a Cup-board Case; and being put, it is, by Custome, to be argued. But to return to the Mooting, All parties being ready, the two Benchers appointed to argue, together with the Reader elect, take their places at the Bench Table, the auncient Bencher sitting in the midst, the second on his right hand, and the Reader elect on his left. Then the Moot-men also take their place, sitting on a Form, close to the Cup-board, and opposite to the Benchers. On the one side of them sits one of the Students, that recites the Pleading; and the other on the other side. The Pleadings are first recited by the Students; then the Case put, and argued by the Barristers, and lastly by the Reader elect and Benchers, in manner aforesaid; who all three argue in English: but the Pleadings are recited, and Case argued by the Utter-Baristers in Law french. The Moot being ended, all parties return to the Cup-board; where the Mootmen present the Benchers with a Cup of Beer, and a slice of Bread; and so the Exercise for that night is ended. So that no man, though of never so great antiquity in the House, is privileged from keeping the Exercises of the House; those only excepted, which are past their Reading, and have never Read."

APPENDIX IV

THE MANNER OF KEEPING GRAND CHRISTMAS DURING THE TUDOR PERIOD

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THE MANNER OF KEEPING GRAND CHRISTMAS DURING THE TUDOR PERIOD

Extract from "The Accidence of Armorie," by Gerard Leigh
London, 1612

AFTER referring to the Coat of Arms which the Society of the Inner Temple bears—Azure, a Pegasus Argent, called the horse of honor[1]—Gerard Leigh gives the following curious account of this ceremony which took place in the Inner Temple in the fourth year of the reign of Queen Elizabeth (1561), and which may be considered typical of similar ceremonies, at the same period, at the Middle Temple and other Inns of Court.

P. 217. "After I had travailed through the East part of the unknowne world, to understand of deeds of Armes, and so arriving in the faire River of Thames, I landed within halfe a league from the City of London, which was (as I conjecture) in Decembar last. And drawing neere the Citty, sodenly heard the shot of double Cannons in so great a number, and so terrible, that it darkned the whole aire, wherewith although I was in my native country: yet stood I amazed, not knowing what it meant. Thus as I abode in dispaire either to returne or continue my former purpose, I chaunced to see

[1] The author of the MS. belonging to the Inner Temple, Petyt MSS., No. 538, vol. xvii, p. 400, says: "The Society beareth Jupiter a Pegasus luna. These armes they "assumed about 4th or 5th Elizabeth the same being devised by Mr. Gerrard Leigh an "officer of armes, then or a little before a member of this honorable Society." Sir George Buc, who was a Member of the Middle Temple and Master of the Revels in 1615, writing in 1631 (Stow's "Annales," Appendix, cap. xiii, p. 1072), says that the Middle Temple had not then to his knowledge chosen or appropriated any ensign to their Society, and he suggested to the gentlemen and fellows of the Society the choice of either of the two old devices and ensigns, viz., the two knights riding on one horse, or the Agnus Dei. The latter was selected, and Dugdale ascribes it to the Middle Temple: see "Archaeologia," vol. ix, p. 134, and "The Temple Church," by T. H. Baylis, Q.C., p. 63.

coming towards me an honest Citizen, clothed in a long Garment, keeping the highway, seeming to walke for his recreation, which pronosticated rather peace than perill. Of whom I demanded the cause of this great shot, who friendly answered, It is (quoth he) a warning shot to the officers of the Constable Marshall of the inner Temple, to prepare to dinner. Why (said I) what, is he of that estate, that seeketh not other meanes to warne his officers then with so terrible shot in so peaceable a Country. Marry, (saith he) he uttereth himselfe the better to be that officer, whose name he beareth. I then demanded what province did he govern, that needeth such an officer. He answered me, the province was not great in quantitie, but ancient in true Nobility. A place, said he, privileged by the most excellent Princes, the high Governour of the whole land, wherein are store of Gentlemen of the whole Realme, that repair thether to learn to rule, and obey by Law, to yielde their fleece to their Prince and common weale, as also to use all other exercises of body and minde whereunto nature most aptly serveth, to adorn by speaking, countenance, gesture, and use of apparell, the person of a Gentleman, whereby amitie is obtained and continued, that Gentlemen of all Countries, in their young yeares, nourished together in one place, with such comely order, and daily conference, are knit by continuall acquaintance in such unity of minds and manners, as lightly never after is severed: then which is nothing more profitable to the common-weale. And after he had told me thus much of honour of the place, I commended in mine own conceit the pollicie of the Governour, which seemed to utter in it selfe the foundation of a good common weale For that the best of their people from tender yeares trayned up in precepts of justice, it could not chuse, but yield forth a profitable people, to a wise common weale. Wherefore I determined with myself to make proofe of that I heard by report. The next day I thought for my pastime to walke to this Temple, and entring in at the Gates, I found the building nothing costly: but many comely Gentlemen of face and person, and thereto very courteous saw I passe too and fro: so as it seemed a Princes post to be at hand. And passing forward, entered into a Church of auncient building, wherein were many monuments of Noble personages armed in Knightly habite, with their cotes depainted in auncient shields

whereat I tooke pleasure to behold. Thus gasing as one bereft with the rare sight, there came unto me an Herehaught, by name Palaphilos, a King of Arms, who courteously saluted me saying, for that I was a straunger, and seeming by my demeanour a lover of honour, I was his guest of right. Whose courtesie (as reason was) I obeyed, answering, I was at his commandement. Then said he, ye shall go to mine owne lodging, here within the Palace, where we will have such cheere as the time and Country will yeeld us, where I assure you, I was so intertayned, as no where met I with better cheere or company."

P. 222. "Thus talking we entered the Princes hall, where anon we heard the noise of Drum and Fife. What meaneth this Drum said I. Quoth he, this is to warne Gentlemen of houshold to repaire to the dresser, wherefore come on with me: and ye shall stand where ye may best see the hall served. And so from thence broght me into a long gallerie, that stretcheth itselfe alongst the hall, near the Princes Table. Where I saw the Prince set, a man of tall personage, of manly countenance, somewhat browne of visage, strongly featured, and thereto comelie proportioned in all linealments of body. At the neather end of the same Table were placed the ambassadors of divers Princes. Before him stood the Carver, Sewer,[1] and Cup-bearer, with great number of Gentlemen-waiters attending his person. The Ushers making place to strangers of sundry Regions that came to behold the honour of this mighty Captaine. After the placing of these honourable Guests, the Lords Steward, Treasurer, and keeper of Pallas seale, with divers honorable personages of that Nobilitie, were placed at a side Table neere adjoyning the Prince on the right hand. And at another Table on the left side were placed the Treasorer of the houshold, Secretarie, the Princes Serjeant of Law, the foure Maisters of Revels, The King of Arms, The Deane of the Chapell, and divers Gentlemen Pentioners to furnish the same. At another table on the other side, were set the Maister of the game, and his chiefe ranger, Maisters of houshold, clearks of the greene-cloth and checke, with divers other strangers to furnish

[1] "Sewer," the officer who set and removed dishes, tasted them, etc. (Skeat's "Etym. Dict."). He also provided water for the hands of the guests ("Imp. Dict.").

the same. On the other side against them, began the Table, the Lieutenant of the Tower, accompanied with divers Captaines of foot-bands and shot. At the neather end of the hall began the Table, The high Butler, the Panter, Clearks of the kitchen, Maister-Cooke of the privie kitchin, furnished throughout with the souldiers and Guard of the Prince. All which with number of inferior officers placed and served in the hall, besides the great resort of strangers I spare to write.

"The Prince so served with tender meates, sweet fruits, and dainty delicates, confectioned with curious Cookerie: as it seemed wonder, a world to serve the provision. And at every course the Trumpetts sounded the couragious blaste of deadly warre, with noise of Drum and Fife, with the sweet harmony of Viollens, shakbuts, recorders, and cornets, with other instruments of Musicke, as it seemed Apolloes harpe had tuned their stroke. Thus the Hall was served after the most antient order of the lland, in commendation whereof I say, I have also seene the service of great Princes, in solemne seasons and times of Triumph, yet the order heereof was not inferiour to any. But to proceede; this Herehaught Pallaphilos, even before the second course came in, standing, at the high Table, said in this manner. The mightie Pallaphilos, Prince of Sophie, High Constable Marshall of the Knights Templers, Patron of the honorable order of Pegasus, and therewith cryeth a largesse. The Prince, praysing the Herehaught, bountifully rewarded him with a chaine to the value of an hundred Talents. I assure you I languish for lacke of cunning ripely to utter that I saw so orderlie handled, appertaining to service. Wherefore I cease and return to my purpose. The supper ended and Tables taken up the high Constable rose, and a while stood under the place of honour, where his atchievement was beautfully imbroidered, and devised, of sundry matters, with the ambassadors of forren nations, as he thought good: Till Pallaphilos, King of Armes came in, his Herehaught, Marshall, and Pursevant, before him, and after followed his messenger and Caligate Knight, who putting off his coronel made his humble obeisance to the Prince, by whom he was commanded to draw nere and understand his pleasure. Saying to him in few words to this effect: Pallaphilos, seeing it hath pleased the high Pallas to thinke me to demerite the

office of this place, and thereto this night past, vouchsafed to descend from heavens to increase my further honor, by creating me Knight of the order of Pegasus, as also commanding me to joyne in the same societie, such valiant Gentlemen throughout her province, whose living-honor hath best deserved the same, the choice whereof most aptly belongeth to your skill (being the watchman of their doings and Register of their desarts) I will ye choose, as well throughout our whole armies (as elsewhere) of such speciall gentlemen, as the gods hath appointed, the number of xxiiii, and the names of them present us; commanding also those chosen persons to appeare in our presence in Knightly habite, that with conveniencie we may proceed in our purpose. This done Pallaphilos obeying his Prince's commaundement, departed. And after a while returned, accompanied with xxiiii valiant Knights, all apparelled in long white vestures, with each man a Scarfe of Pallas colours, and them presented with their names to the Prince, who allowed well his choyse, and commanded him to do his office: who after his duty to the Prince, bowed towardes these worthy personages, standing every man in his anciency, as he had born Armes in the fielde, and began to shew his Princes pleasure with the honor of the order, much to this effect," etc.

Sir William Dugdale ("Orig. Jurid." p. 150) gives the following dramatis personae on the occasion commemorated by Gerard Leigh:

"The Lord Robert Dudley (afterwards Earl of Leicester)
Palaphilos—Constable Marshall

and his officers were:

Mr. Onslow . . .	Lord Chancellor.
Anthony Stapleton .	Lord Treasurer.
Robert Kelway . .	Lord Privy Seal.
John Fuller . . .	Chief Justice of the King's Bench.
William Pole . . .	Chief Justice of the Common Pleas.
Roger Manwood . .	Chief Baron of the Exchequer.
Mr. Bashe	Steward of the Household.
Mr. Copley . . .	Marshal of the Household.
Mr. Paten	Chief Butler.
Christopher Hatton .	Master of the Game.

Mr. Blaston, Mr. Yorke, Mr. Penston, Mr. Jervise . . Masters of the Revels.
Mr. Parker . . . Lieutenant of the Tower.
Mr. Kendall . . . Carver.
Mr. Martyn . . . Ranger of the Forests.
Mr. Stradling . . . Sewer.

"There were besides these several others, and fourscore of the guard."

The saltatory excellencies of Sir Christopher Hatton have been celebrated by the poet Thomas Gray in "A Long Story" (printed 1753), by the following verses:

Full oft within the spacious walls,
When he had fifty winters o'er him,
My grave Lord-keeper led the brawls;
The seals and maces danc'd before him.

His bushy beard and shoe-strings green,
His high-crown'd hat, and satin doublet,
Mov'd the stout heart of England's queen,
Though Pope and Spaniard could not trouble it.

Dugdale gives other particulars touching these Grand Christmases, extracted as he says out of the accounts of the House, and of which the following is a summary, the language and original spelling being retained.

"The office of the Steward was to provide five fat brawns, flesh, fowl, and all manner of spices and other cates for the kitchen.

"The office of Chief Butler was to prepare a rich cupboard of plate, silver and parcel gilt, silver and gilt spoons, candlesticks, linen," etc.

"The office of the Constable Marshall was to provide himself with a fair gilt compleat harness, with a nest of feathers in the helm; a fair pole-ax to bear in his hand to be chivalrously ordered on Christmas-Day, and other days, as afterwards is shewed."

The regulations were made by the Benchers at their parlia-

mentary meeting on the eve of St. Thomas the Apostle, and if it was resolved to proceed with such a grand Christmas, then on the Christmas-Eve the following arrangements were made:

"The youngest butlers must light two torches, and going before the bench, and being seated, the oldest Bencher delivereth a speech, and then, in token of joy and good liking, the Bench and Company pass beneath the harth, and sing a carrol, and so to boyer (qr. beaver). It was the business of the Marshall at dinner, to arrange the company according to their stations, at the head of one table the most ancient of the company present, then the Dean of the Chapel and a Bencher beneath him," etc.

"At the upper end of the other table on the other side of the Hall the three masters of the revels, at the lower end of Bench Table are to sit the king's attorney, the ranger of the forest, and the master of the game, and at the lower end of the Table on the other side of the Hall the fourth Master of the Revells, the Common Serjeant and Constable Marshall, and at the upper end of the Utter Barrister's table the Marshall sitteth when he hath served in the first mess, at the upper end of the Clerks Table is placed the lieutenant of the Tower," etc.

"At the first course the minstrels sound their instruments, and go before; and the Steward and Marshall next follow, after them the Gentleman Sewer; and then cometh the meat. Those three officers are to make altogether three solemn curtesies, at three several times, between the skreen and the upper table. During the time of the tables being set and served, the music plays, and the musicians direct their faces towards the highest table; they then return to the buttery, with their music sounding. The second course is served in, in every respect as in the first, and dinner being ended the musicians prepare to sing a song at the highest table. Then after a little repose, the persons at the highest table arise, and prepare to revels; at night before supper, revels and dancing again commence, and also after supper, during the twelve days of Christmas.

"The antientest master of the revels is after dinner and supper to sing a caroll or song, and command other gentlemen then there present to sing with him and the company, and so it is very decently performed; a repast at dinner is 8*d*."

Christmas Day

"Service in the church ended, the gentlemen presently repair into the Hall to breakfast with brawn, mustard, and malmsey.

"At dinner, the Butler appointed for the grand Christmas is to see the tables covered and furnished. At the first course is served in a fair and large boar's head upon a silver platter, with minstralsye. Two gentlemen in gowns are to attend at supper, and to bear two fair torches of wax, next before the musicians and trumpeters, and stand above the fire with the musick, till the first course be served in, through the Hall."

St. Stephen's Day

"This day the Sewer, Carver, and Cupbearer, are to serve as afore. After the first course served in, the Constable-Marshall cometh into the Hall, arrayed with a fair, rich complete harness, white and bright, and gilt, with a nest of feathers of all colours upon his crest or helm, and a gilt pole-axe in his hand, to whom is associated the Lieutenant of the Tower similarly attired; and with them sixteen trumpetters, four drums and fifes, going in rank before them; and with them attendeth four men in white harness, from the middle upwards, and halberds in their hands, bearing on their shoulders the Tower; which persons, with the drums and musick, go three times about the fire. Then the Constable Marshal, after two or three curtesies made, kneeleth down before the Lord Chancellor, behind him the Lieutenant, and they kneeling, the Constable Marshall pronounceth an oration of a quarter of an hour's length, thereby declaring the purpose of his coming, and that his purpose is to be admitted into his Lordship's service. The Lord Chancellor saith He will take further advice therein.

"Then the Constable Marshall standing up, in submissive manner, delivereth his naked sword to the Steward; who giveth it to the Lord Chancellor; and thereupon the Lord Chancellor willeth the Marshall to place the Constable Marshall in his seat; and so he doth, with the Lieutenant also in his seat or place. During this ceremony the Tower is placed beneath the fire.

"Then cometh in the Master of the Game, apparelled in green

velvet, and the Ranger of the Forest also, in a green suit of sattin, bearing in his hand a green bow and divers arrows, with either of them a hunting horn about their necks; blowing together three blasts of Venery, they pace round about the fire three times. Then the Master of the Game maketh three curtesies, as aforesaid, and kneeleth down before the Lord Chancellor and desireth to be admitted into his service, &c. All this time the Ranger of the Forest standeth directly behind him. Then the Master of the Game standeth up.

"This ceremony also performed, a huntsman cometh into the Hall, with a fox and a purse net; with a cat, both bound at the end of a staff; and with them nine or ten couple of hounds, with the blowing of hunting horns. And the fox and cat are by the hounds set upon, and killed beneath the fire. This sport finished, the Marshall placed them in the several appointed places.

"Then proceedeth the second course; which done, and served out, the Common Serjeant delivereth a plausible speech to the Lord Chancellor and his company at the highest table, how necessary a thing it is to have officers at this present; the Constable Marshall, and Master of the Game, for the better honor and reputation of the Common wealth; and wished them to be received," etc.

"Then the King's Serjeant at Law declareth and inferreth the necessity; which heard, the Lord Chancellor desireth respite of farther advice. Then the antienest of the Masters of the Revels singeth a song, with assistance of others there present.

"At supper the Hall is to be served in all solemnity, as upon Christmas-Day, both the first and second course to the highest table. Supper ended, the Constable Marshall presented himself with drums afore him, mounted upon a scaffold born by four men; and goeth three times round about the harthe, crying out aloud, A Lord, A Lord, &c. Then he descendeth and goeth to dance, &c. And after he calleth his Court, every one by name, one by one in this manner.

"Sir Francis Flatterer, of Fowlehurst, in the County of Buckingham.

"Sir Randall Rackhabite, of Rascal-hall in the County of Rakehell.

"Sir Morgan Mumchance of Much-Monkery, in the County of Mad-Popery.

"Sir Bartholomew Baldbreech, of Buttocks-bury, in the County of Brekeneck.

"This done, the Lord of Misrule addresseth himself to the banquet; which ended with some Minstrelsye, mirth, and dancing, every man departeth to rest."

The remaining days of Christmas were celebrated in a similar manner.

APPENDIX V

THE PREPARATIONS, CEREMONY, PROCESSION, ETC., AT THE PUBLIC CALL OF SERJEANTS, EASTER TERM 1736

APPENDIX V

(I)

Extract from Downing's MS.

THE PREPARATIONS CEREMONY PROCESSION ETC. AT THE PUBLICK CALL OF SERJEANTS EASTER TERM 1736

HIS MAJESTY having issued his writt[1] To Robert Price Michael Foster Thomas Burnett William Wynne John Agar Robert Ketelby William Hayward Samuel Prime and Thomas Barnardiston of the Middle Temple Thomas Parker and Edward Bootle of the Inner Temple Thomas Hussey and Abram Gapper of Lincolns Inn and Richard Draper of Grays Inn Esquires Requiring their appearance at his Majestys Court of Chancery the day after Ascension day in the ninth year of his reign proper preparations were made to pay an obedience thereto in the usuall manner.

In Order whereunto the Serjeants Elect on fryday 28th of May invited the Old Sergeants and the three Prothonotarys to a Supper in the Middle Temple Hall to consult with them what was proper to be done on this occasion.

They chose for their Comptroler Worley Birch and for their high Steward Robert Henley[2] Esquires Mr. Birch being a Barrister attending the Oxford Circuit and Mr. Henley the Western It being

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[1] The Chief Justice of the Common Pleas, with the consent of all the judges, presented the names of distinguished lawyers to the Lord Chancellor, who sent to them a royal writ commanding them under a heavy penalty to take upon themselves the degree and state of a Serjeant-at-law. Of the more distinguished Serjeants the Crown retained certain to be King's Serjeants, who were created by Letters Patent and fulfilled duties similar to the modern Attorney and Solicitor-General (see Holdsworth's "History of English Law," vol. ii, p. 407).

[2] Added in margin "since Earl of Northington and Lord Chancellor."

(as is said) always a Rule to choose the Comptroler and Steward the one out of one the other out of the other of those Circuits.

They then chose Each of them a Young Barrister for his Colt[1] whose business it is to attend the Serjeant in the procession and to deliver the Rings to the Judges Serjeants etc.

On Monday the 31st the New Serjeants having a mind to converse with their Colts and their Comptroler and Steward concerning their future proceedings order'd a Supper to be provided for their Entertainment (by permission of the Treasurer of the Middle Temple) in the Parliament Chamber of that Society.

On Wednesday the Second of June it being reported that the Inner Temple Claimed a right to take place of the Middle Temple the Masters of the Middle house at dinner sent to desire a Conference in the Rounds of the Temple Church.

On Thursday the Masters of the Inner house again desir'd a Conference in order to return an Answer to what was represented to them by the Middle house at which time they persisted in their pretended right And it was agreed to refer it to the Lord Chancelor[2] the Lord Chief Justice Hardwick and the Lord Chief Justice Reeve and that the two Treasurers should wait on them to know when they would be attended which they accordingly did And their Lordships appointed Eight o'Clock on fryday night.

Upon hearing the Arguments on both sides which lasted till one o'clock in the Morning, their Lordships order'd that for that time the Inner house should have the place desir'd without prejudice to the right of the Middle house as by their Lordships Order will more fully appear.[3]

Fryday the 4th of June the day on which the writs were returnable the Serjeants Elect belonging to the Middle Temple Came to the Parliament Chamber of that Society where the Masters of the Bench were ready to receive them between 8 and 9 o'Clock in the morning.

Memorandum There arose a doubt whether or no the Serjeants

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[1] Origin of name said to be by way of parody on *pone sequens*.

[2] Lord Talbot.

[3] Master Treasurer Ketelby's Report of the proceedings is given *post*, p. 304.

were to treat the Masters with wine and biskets this morning as well as the next or on the morning of the procession only. Such Officers of the house as had seen former Calls informed them that one breakfast only was usuall and that the Serjeants did not meet the Masters in the Parliament Chamber this day only met them at Westminster to Conduct them to the Chancery Barr (tho I believe that was a mistake this being the day on which they go out from the Society and receive the usuall Present as followeth). And the Serjeants order'd wine and biskets for the Master's this day.

N.B.: The Quantity of wine and biskets usuall on these occasions to treat Each Society of Law and Chancery thereto belonging is as followeth

Red wine	6 Gallons
White wine	6 Gallons
Sack	12 Bottles
Heart Cakes	20 pounds
Naples biskett	20 pounds
Macroons	15 pounds

The distributing the wine is always Comitted to the Care of the Chief Bench Butler and the delivering the biskets to the Care of the Second Butler.

Having Breakfasted in the Parliament Chamber the Masters according to their rank and the Serjeants according to their Seniority following them walk'd into the Hall to the Square table[1] where Abel Ketelbey Esquire then Treasurer made a very Eloquent Speech to the following effect

He congratulated their promotion as a Step to farther preferment own'd the Societies loss in parting with so many worthy members whose learning and eminent qualities had so distinguished them acknowledged the honour accruing to this Society from so many being selected out of their body near[2] twice the number as from all the rest of the Societies of Law together Express'd how much the Middle Temple might glory in its[3] living members such

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[1] This is no doubt the same as the "Cupboard," see *ante*, p. 58.

[2] Added in margin "9 out of 14."

[3] Added in margin "L[d] C. J. Hardwick & L[d] C. J. Reeve."

as filled the highest Stations in the Law and were both the darlings and blessings of the present age Desir'd their favour and continuance of their affection etc.

NB I hope my unpolished recital of some part of that florid Oration will occasion no imputation in prejudice of the Originall which was too sublime for my unskillfull pen to trace.

The Oration ended the Treasurer presented Each of the Serjeants Elect according to Custom with ten pounds in Crowns and halfe Crowns in a New Leather purse.

After which Robert Price Esquire the Senior of the Nine Serjeants Elect of this Society in the Name of the rest Return'd thanks to the Treasurer and Society for the many favours benefits and indulgences they had received acknowledges the Concern with which they left the Society which nothing but his Majesty's Command should have prevailed with them to do they should always retain a gratefull respect etc.

Then the Company seperated and went Severally down to Westminster where all the New Serjeants from Each Society and the Severall Benchers met in the Treasury of the Common pleas from whence the [*sic*] proceeded first the King's Serjeant Thomas Parker Esquire between two Benchers of the Inner Temple the rest according to their Seniority each between two Benchers of that Society whereof he was a member to the Chancery Barr where they delivered their writs which were severally read and then they all took the oaths.

When the day of the procession is Come all the Serjeants Elect after having treated Each their respective Societies with wine and biskett meet the Judges and the old Serjeants at the Hall of that Society whereof the Lord Chief Justice hath been a Member Accordingly on Saturday the 5th of June the New Serjeants met the Masters of the Bench and the rest of the Society in the Parliament Chamber about Eight o'Clock whither all the Judges came before Nine and after having breakfasted on burnt wine and bisket and all the Serjeants from the other houses being come the Judges proceeded according to their Rank and Seniority from the Parliament Chamber into the Hall the Old Serjeants following them two and two the New Serjeants in like manner after them the Judges then

place themselves on Seats set for that purpose a little above the step and the New Serjeants stand before them the Senior before the Lord Chief Justice of the King's Bench the next before the Lord Chief Justice of the Common pleas and so on in Seniority and then make their accompt (as it is Called) which done the Lord Chief Justice of the King's Bench maketh an Oration suitable to the Occasion then they all kneel the Chief Justice beginning with the Senior puts on the Coif tying it under his Chin and lays the Scarlet hood over his right Shoulder in like manner the other Judges do to the Serjeants who respectively kneel before them then the Judges depart and the Serjeants prepare for the procession.[1]

When they are ready the warden of the fleet marshalls the procession in the following manner

1. Severall Labourers with brooms to Sweep the way.

2. The Officers belonging to the fleet with their short staffs

3. The Officers and Servants of Furnivalls Inn in Gowns and Jacquets of blew and purple given by the Serjeants and after them the Members of that Society in their own gowns

4. The Officers and Servants of New Inn in like manner with the Members of the Society following them

5. The Society of Clement's Inn in like manner

6. The Society of Lyon's Inn in like manner

7. The Society of Clifford's Inn in like manner

8. The two Societies of the Middle Temple and Lincolns Inn the Officers two and two one of Each Society where there were Officers of like denomination. The Treasurers and Benchers following them attended by the Sub Treasurer.

NB. The Officers of the Middle Temple who walk'd in this procession and received cloathing were as follow

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[1] The ceremony of conferring the degree (1666) as given in Dugdale's "Orig. Jurid." cap. lii, was a little different; the Coif and Hood were put on at Westminster. See also Mins. of Parl., 9 Nov. 19 Hen. VII where the proceedings on that occasion are fully stated, and the ceremony of placing "les Coyfes" on the heads of the new Serjeants took place in the Chapel of the hostel at Lambeth in the presence of the public. For the ceremony which took place when the last Serjeant was appointed see *post*, p. 313, note.

Steward	These Nine in Gowns.
Chief Butler	
Chief Bench Butler	
Second Butler	
Barr Butler	
Puisney Butler	
Chief Cook	
Chief Porter	
Assistant Bench Butler	
The Washpot	These Six in Jacquets
The Under Cook	
The Under Porter	
The Steward's man	
The Panier man	
The Badge Porter	

9. The Society of the Inner Temple their Officers before and the Treasurer and benchers following attended also by their Sub Treasurer

10. The Old Serjeants Clerks in Jacquets.

11. A Stafman with the Arms of the Eldest of the New Serjeants painted on his Staff and after him the two Clerks of the said Serjeant in Jacquets he on the right hand bearing the Scarlett hood upon both his hands with the Silk Cap lying upon it one End of the hood thrown over his right Shoulder the other Clerk carrying three hats laid one upon another upon both his hands after them this Serjeants Colt alone in his own Barr Gown then the Serjeant in his Robe and Coif

In like manner all the rest of the Serjeants with Each his Staffman two Clerks and Colt before him.

In this Order they walked to Westminster Hall where the New Serjeants Ranged themselves in Order facing the Court of Common pleas on the opposite side of the Hall

Then the Lord Chancellor being come into this Court and Seated on the Bench in the Middle between the four Judges of the Common pleas and the four Judges of the Kings Bench seated in Chairs on the right hand of the Court and the four Barons of the

Exchequer in Chairs on the left hand The first prothonotary called the two Senior of the Old Serjeants who came to the Barr and made their obeisance then went down the Step where they were met by the Marshall and Warden of the Fleet and turn'd about and again made obeisance to the Court when they came about the Middle of the Hall they turn'd about and did the Same and when they came up to the New Serjeants the same again then taking the Senior new Serjeant between them they return towards the Court with the Warden and Marshall before them all making obeisance in the same manner and at the same places as they did before Then the New Serjeant Standing at the Barr made declaration to the writ which had been given him by the Prothonotary then the Senior of the Old Serjeants defended it and Crav'd Oyer of the Writ then the Prothonotary read the Writt and the Junior of the Old Serjeants imparled.

Then the Serjeants Colt delivers the Rings first to the Lord Chancelor two Chief Justices and the Chief Baron rings of one Sort or Size to the rest of the Judges of another size and to the Serjeants and Prothonotarys of a 3^{d} Size which done the Lord Chief Justice of the Common Pleas saith Brother N—— please to move

Then the 2^{d} Pronothary calls the two next Senior of the old Serjeants who proceed in like manner and bring up the next Senior of the New Serjeants and so till all are come up.

After this the Court arose and they all repaired to the Middle Temple Hall where a sumptuous dinner was provided by the New Serjeants at which were present besides the Lord Chancelor and all the Judges The Earl of Westmoreland Lord Wilmington Lord Cholmondley Lord Hervey Bishop of Sarum and Severall other persons of Note

A very good band of musick was also provided and one of the Galerys at the East End of the Hall viz^{t} that towards the North side was fitted up for them the other was fitted up for Ladys to sit to see the Company at Dinner.[1]

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[1] Dugdale, "Orig. Jurid." cap. xlvii, gives an account of the Serjeants' Feasts. He says it would seem almost incredible that they wanted little of a feast at a coronation. On the occasion already referred to 19 Hen. VII (*ante*, p. 301, note), the Min. says that to the number of 1,000 breakfasted with the Serjeants for three days. The last Serjeants' feast was held in Lincoln's Inn Hall on the 6th February 1759, and the giving of liveries

(II)

Extract from MS. No. 2

MR. TREASURER KETELBEY'S REPORT ABOUT PRECEDENCY

9th June 1736

GENTLEMEN,

What I at this time recommend to your Consideration is a matter that highly concerns the Honour, the Right, and the very being of this Society; And some of you not being present, or privy to all the Transactions, I will pursuant to your directions lay them before you as distinctly and briefly as I can.

The Serjeants Writs being returnable Crastino Ascensionis, the 4th of this instant June, and the Solemnity appointed by the right honourable the Lord Hardwick, Lord Chief Justice of the King's Bench, to be performed in our Hall on the morrow, it was given out a few days before by some Masters of the Inner Temple, that in the procession they would insist upon a Precedence of us, tho' from our own Hall, And tho' the Lord Hardwick, and the Lord Chief Justice of the Common Pleas, were both of our house.

This justly alarmed some Members of our Society; however to prevent disturbances by pacifick measures on Tuesday the first instant we proposed a conference with the Inner Temple; And after several meetings and Messages it was agreed by both Houses that this claim of Precedency should be referred to the Determination of the Lord Chancellor, The Lord Hardwick, and the Lord Chief Justice Reeve; And that your Treasurer and the Treasurer of the Inner Temple should attend them to know whether their Lordships would please to accept the Preference; Accordingly on Thursday Evening, the

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to retainers and friends was also then discontinued, but the ancient custom of presenting rings was kept up to our time. (See Pulling's "Order of the Coif," pp. 241, 245, 246 and *post*, p. 313, note.)

Dugdale, writing just before the ancient pillars in Old St. Paul's were destroyed by the Great Fire of 1666, says that "after the Serjeants' feast ended they do still go to "St. Paul's in their habits, and there choose their pillar, whereat to hear their clients' "cause (if any come) in memory of that old custom."

3rd instant, the two Treasurers waited on their Lordships, who readily accepted it, and appointed Friday Evening the 4th instant, at 8 of the clock at the Lord Chancellors house to hear two Councell on each side, which being reported your Masterships were pleased to appoint your Treasurer and John Marsh Esquire Another Master of the Bench as Counsell for our Society on this Occasion And the Inner Temple nominated Sir Thomas Abney and John Ward Esquire another Master of their Bench for their Councel who with several Gentlemen of both Societies attended at the time and place appointed.

At the beginning of the Debate we desired to know if they claimed any more than an equality between the two houses; and that, if they did, they should proceed to make out their Right, which being thought a proper method

The Councel for the Inner Temple insisted that they had the right of precedence to walk in the Procession next before the new Serjeants who always go last. That the Cavalcade had been so marshalled by the Warden of the Fleet in the three last general Calls of Serjeants, that of 1705 from Grays Inn When upon a dispute the Lord Chief Justice Holt declared in favour of the Inner Temple, and those of 1720 and 1724 from the Inner Temple Hall when the Lord Macclesfield and Lord Chief Justice Pratt both Members of that house presided at the Ceremonies which were there performed, and from whence the procession issued. And for this they examined Mr. Huggins, late Warden of the Fleet, and Mr. John Beavor Steward of Grays Inn.

They likewise insisted upon a preference given by Implication to the Inner Temple in the Grant of King James the first by his Letters Patents dated the 13th of August in the 6th year of his Reign, for the use of the Students of the Law; that the Trustees who were Members of the Inner Temple were first named therein, before the Trustees Members of the Middle Temple as Sir Julius Caesar before Sir Henry Mountague and William Towse Treasurer of the Inner Temple before Mr. Richard Daston Treasurer of the Middle and so forth.

Another Argument used for their Superiority was the Inscription over the outside of the Church Porch in 1695.

Where Nicholas Courtney Treasurer of the Inner Temple is named before Roger Gillingham Treasurer of the Middle.

Twas further urged that the Inner Temple had the Chief Seat in the Church, The South side being accounted the Seat of Dignity in all Churches And that Bishops Deans and Preachers always sit on that side.

That the Middle Temple was sometimes called the New Temple.

That in the late Deed of Division dated 1732, The uses of the Lands granted to the Inner Temple are first declared, and the preference given to them.

That the Inner Temple is first named in all the Land-tax Bills, and pays much more than the Middle to that Tax; And that she has three Inns of Chancery belonging to her, and the Middle but one.

That an Equality would tend to create Disturbances;

These as I apprehend were all the Arguments insisted on by the Councell for the Inner Temple To which your Treasurer and Mr. Marsh humbly offered these Answers.

As to the Precedence of the three last general Calls—

At the first in 1705 from Grays Inn Hall there was a tumultuary dispute between the Middle and Inner Temple Societies about precedence and some Blows; Upon which several Gentlemen prudently withdrew; And at last things were quieted for that time, in honour of the Lord Chief Justice, who presided there at the Solemnity; and was a Member of Grays Inn And the Inner Temple being her Sister Societie they walked promiscuously, as the Middle Temple and Lincolns Inn do on such occasions.

And tho' Mr. Beavor could not say he heard the Chief Justice Deliver any opinion about the point in dispute, Yet all agreed that any end at that time was better than a general Engagement.

As to the two last General Calls from the Inner Temple, we admitted that out of respect to the Chief Justice, who was a Member of that house, and appointed the Ceremony to be there solemnized, We attended in obedience to his Command, and when the procession began, quietly left that Society in possession of their own Mansion, And hoped the same Rule of Right would prevail tomorrow, and that we should not be obliged to quit the possession

of our Freehold to them; who perhaps might take it into their Heads to like our Hall better than their own; and endeavour to maintain the Custody of what we so tamely deliver up to them. We said

We apprehend, and it hath always been looked upon to be the Rule that the house that claims the Chief Justice of the Kings Bench as her Member ought with her Sister Society to have the Precedence for that time, as a due Honour to that Body to which he belongs: This we offered as a just and proper expedient, to prevent any further contests upon such like occasions and tho' by reason of the Shortness of the time we could not produce any antient instances—We submitted whether the three last Calls insisted upon by the other side did not sufficiently authenticate this accommodation of our present and future differences.

As to what was urged by the other side from the different ranging the names of the Trustees of both Temples in the Grant of King James the first, we answered that That Deed was so far from proving any preference in them That we thought it was a very strong argument against them; And that the method of marshalling the names demonstrated that the utmost caution was then used to prevent and obviate any future Affectation of Superiority in either house over the other. We admitted that Sir Julius Cæsar of the Inner house was first named and it would have been the highest ingratitude and want of good Manners should it have been otherwise He was then Chancellor and Under-treasurer of the Exchequer The Kings prime Minister and Favourite by whose Interest and Application the Grant was obtained. The next to him is named Sir Henry Montague of the Middle Temple then Recorder of London After them are named William Towse Treasurer of the Inner Temple and Richard Daston Treasurer of the Middle Temple Towse having been Daston's Senior Reader near two years The next two are Sir John Boys of the Middle Temple and Andrew Gray of the Inner Sir John having been Senior Reader to Gray and afterwards all the rest of the Trustees are named alternately one and one of each house according to the Seniority of their Readings And this appears manifestly by Dugdales Origines Juridiciales fo: 146 and his Chronicle Catalogues of the Readers and Treasurers

of both the Societies And the Rent reserved to the Crown by that grant was equal being £10 per annum from each Society.

As to the Inscription on the outside of the Church Porch the words are these

Vetustate Consumptum
Impensis utriusque Societatis
Restitutum A° 1695.
Nico Courtney
Rogero Gillingham } Arm^rs
Thesaurariis.

From whence we argued that (Impensis utriusque Societatis) import an exact Equality between the two houses neither of them named before the other and tho' Courtneys name is mentioned before Gillingham it was because he was Senior Reader to Gillingham many years.

As to their being seated on the South side of the Church we admitted it but absolutely denied that that was the place of dignity and precedence or could give them the least colour or pretence for claiming it. We expressed our concern that such an Argument as this should be started by them And that an Affectation of ye Uppermost Seats in Synagogues should be once more revived However since they had put us under a necessity of debating this matter we insisted that the Middle Temple had the upper hand in the Church The Crucifix being supposed to be placed on the Altar the Place of Dignity as well as Blessedness is on his Right hand; hence it is That in all Roman Catholick Churches as well as by the Liturgy of the Church of England He who administers the Sacrament is to stand on the north side of the Table. Hence it is that whenever a Bishop or Dean is pleased to read the Gospell he leaves his Stall on the South side and comes to the North side of the Altar which by Ecclesiastical Writers is called the Gospellers side. Hence it is As Lord Hardwicke at this time publickly declared That whenever a Throne was erected for his Majesty in the Chappel Royal upon any solemn occasion 'tis always on the north side.

We likewise mentioned that after Divine Service is ended in the Temple Church (which is the only time the two Societies ever join

in procession) The Middle Temple Masters always take the right hand of the Inner Temple Masters in walking through the Rounds to our Cloysters. We offered also as a Parallel Case the Regulation in the House of Lords where the Ecclesiastical Lords are placed on the Kings right Hand as he sits on his Throne as in the Place of Highest Dignity Tho' one of the Inner Temple Gentlemen endeavoured to evade that Argument by saying ludicrously That the Bishops were generally old Fellows—loved to be near the Fire in cold Weather. Since the Debate I have received a Letter from my learned Friend Mr. Anstis Garter King at Arms and one of the Masters of our Bench proving by irrefragable Arguments and several Authorities out of the Ritualist Canonists and other Ecclesiastical Writers that the North Side of the Church is the most Honourable I am sorry we had it not sooner so as to have made use of it, However I will mention the Books he quotes Baronius's Annals under the year 213 N 6 and under the year 325 N 57 and N 59 the Councel of Chalcedon; Sophronius Patriarch of Jerusalem; Goar in Euchol Græcor. f: 110 N 7. Allatius in his description of the form of the Greek Churches fo: 143, 144 and our Countryman Dr. Smith de Ecclesia Græcæ Hodierno Statu f. 64.

The next point they insisted on was that the Middle Temple was sometimes called in Authors and antient Writings the New Temple to distinguish it from the Inner which was the Elder Society This Argument was advanced by Mr. Ward but he produced no writings nor Authorities to prove it On the contrary we denied that the Middle Temple was ever called the New Temple in contradistinction to the Inner Temple, Dugdale in his Origines fo. 144 gives this Account of the New Temple. In the beginning of Henry 2nd's Reign The Knights Templars having their House in Holborn situate on the South part of that Street where Southampton House lately Stood did for their more conveniency set up another Habitation for themselves over against the end of a Street heretofore called New Street now Chancery Lane Which had thereupon the Name of the New Temple and contained all the Space of Ground from the White Friars Eastwards unto Essex house without Temple Barr Yea and part of that too. To the same Effect is Stow in his Survey of London f: 270 from whence it is plain that the name of the New Temple was applied

to all the Lands belonging to the Middle Temple and Inner Temple.

As to what is presented from the late Deeds of Division of the Lands belonging to both Societies in 1732 that the Middle Temple had thereby allowed a preference to the Inner Temple We desired them to shew it for we could not find it in the least foundation for such a pretence The Deeds were drawn and settled by Gentlemen of Great Learning of both Houses and according to the nicest Justice and Æquality and if any parts of them had been transposed they would have been thereby rendred informal and not agreeable to the exactness of the persons employed therein.

Another mark of Superiority they insisted on was their being named first in the Land Tax Bill, their paying more than the Middle Temple to that Tax, and their having three Inns of Chancery and the Middle Temple but one We were really surprized at the Levity of this triple Argument, and therefore thought it best to answer them accordingly: That the initial Letter of the Inner was in the Alphabetical Course before the initial Letter of the Middle: That if they were so pleased at parting with their money they would have done well to have paid their respects to their Serjeants in a better manner and that our one Inn of Chancery was equal if not superior to their three.

To the last we answered that we were now in a way of an amicable accommodation before Great Judges, who we hoped would put an absolute end to these differences, and that in the meantime nothing inflammatory should be offered or insinuated.

Thus having submitted to their Lordships our Answers to what had been urged by the other side, We proceeded to express our concern, That our Younger Sister with whom we had always desired to live in the strictest Union and Friendship and who had separated from us should presume to affect a Superiority over us Who tho we had indisputable Marks of Eldership Yet were contented to acquiesce in an exact Equality.

Dugdale who was a Member of the Inner House and could not be suspected of any Partiality in our favour, gives this Account in his Origines fo: 145 "That the Knights Hospitallers of St. John of Hierusalem who succeeded the Knights Templars having obtained

a grant of this Mansion called the New Temple from King Edward the third, soon after demised the same for the Rent of £10 per annum to divers professors of the Common Law that came from Thavies Inn in Holborn." That those Students so increased here that at length they divided themselves into two Bodies The one commonly known by the Society of the Inner Temple and the other of the Middle Temple holding this Mansion[1] as Tenants to the said Hospitallers till their dissolution in the 30 H. 8 and afterwards from the Crown by Lease till the 6th of King James, when the aforesaid Grant was made to the Trustees.

This Authority plainly declares the two Societies to be coæval and coæqual Whence then this Chymærical affectation of superiority and Precedence!

The same Author goes further fo. 318 under the Title Orders conceived for settling and establishing of the Company of the Inns of Court and Chancery in their exercise of military Discipline That for Priority Place every house give their own Gentlemen their Rank and that the houses take place first by Chance of the Dice and afterwards by Course and Turn.

The next matter we laid before their Lordships was an Adjucation in point by the Judges of both houses upon an extraordinary dispute about Precedence on a very solemn occasion The Lord Chief Justice Mountague and the other Judges to whom it was referred, determined that neither of the Houses had any Precedence of the other And the Masters of the Inner Temple then declared they claimed none. The whole proceedings touching this Affair are entred at large in the Book of Orders of the Middle Temple marked C f. 137 and dated 18 of May 1620 This Book was produced and the entry read to their Lordships And least it should have been objected that we had no other Evidence of this Fact but by Entries in our own Books We called upon the other Side to produce their Books of that date by which it would appear that like entries were made in their Books We having given a previous Notice to their Undertreasurer so to do but they neither produced

[1] The words "this Mansion" appear to have been added in a different handwriting.

theirs nor objected to the validity of ours so that the Authority stood unimpeached.

To shew further that we had good Grounds, to insist upon our being the Elder house, we represented to their Lordships that the Middle Temple had all a long incontestably used and enjoyed the antient Arms of the Knights Templars, viz[t]. The Holy Lamb and the red Cross. And that the Inner Temple since their Secession, and extending their Boundaries into White Fryars, had assumed to themselves for their Arms A Flying Horse. We desired to know by what Kings Grant from what Heralds, When, and how, they got these Wings to their Horse[1] to which it was somewhat too rashly answered by one of the Gentlemen in the Opposition That their Pegasus was a much nobler Creature than our Lamb. However we relied upon our possession of the antient Arms of the order as a conclusive Argument in our favour that the Enjoyment of Arms had often settled the Seniority the Rights the Estates the Dignities of Families And in the great contest for the Crown of England between Edward the fourth and Henry the sixth the Parliament went strictly into the inquiry and determined the Allegiance accordingly.

We insisted likewise upon our being in possession of the old Portico of the Knights Templars now called the Cloysters and All the Buildings over it That the foundation of the Seite of the antient Mansion of the Knights Templars has lately been opened and lies in Pump Court and Elm Court belonging to the Middle Temple and that some of those Buildings are yet distinguishable.

The debate being over, about 12 at night we withdrew, and went all home, leaving their Lordships in Conference. About one a Gentleman from my Lord Chancellor came and told me his Lordship desired I would return alone to his House And that he was ordered to deliver the same Message to Sir Thomas Abney; accordingly I went and soon after Sir Thomas Abney and Mr. Carter came in. His Lordship then made a short Speech to us in the names of himself and Lord Hardwick and Lord Chief Justice Reeve, who were gone; but had concurred to what was contained in the Paper he then had in his hand: that it was impossible to determine a matter

[1] See *ante*, p. 285.

of that consequence and difficulty on a Sudden; but that they had agreed upon this provisional Expedient to prevent confusion on the Morrow; His Lordship then delivered me the Paper now produced and Sir Thomas Abney had an exact Copy of it written by the same hand perused by his Lordship and compared and examined by me; And follows in these Words.

June the 4th 1736.

Their Lordships have not had time to consider and determine the general Question of Precedence between the Societies and therefore confine their Determination to the Regulating the Procession tomorrow.

It appears that in fact the Inner Temple hath had the Precedence of the Middle Temple in the processions upon the three last Calls of Serjeants and therefore they are of opinion That in order to avoid confusion tomorrow

The Societies should be rank'd as they were in the Call of 1724 but the same is to be without prejudice to any right that either Society may have to a precedence or an Equality upon Occasions of this kind or any other.

At an adjourned Parliament holden the ninth day of June 1736.

This is the paper referred to in my Report made this day; which I received from my Lord Chancellors own hand. And the like was at the same time delivered to Sir Thomas Abney who attended on behalf of the Inner Temple.

This a true Abel Ketelby Tr. 1735.
Copy examined by
A. Allen.

Note.—Nathaniel Lindley, Q.C. (now Lord Lindley), a Bencher of this Inn, was the last Serjeant to be appointed, and is now the last survivor. He was appointed 12th May 1875 by the same Letters Patent by which he was made a Justice of the Court of Common Pleas. He was sworn as a Justice before Lord Cairns, L.C., who handed him his patent and pinned to his wig the black silk patch with white crimped border, the substitute for the coif which was worn before the introduction of wigs. His Colt was the late Samuel Dickinson of the Chancery Bar. The rings given on the occasion bear the motto "Vorwärts." Afterwards he became a member of Serjeants' Inn on payment of the entrance fee of £402 10*s*. customary on the appointment of a

Serjeant preparative to being appointed Judge, and signed the Serjeant's Roll or Book, which unfortunately is lost. There was no ceremony in the Middle Temple Hall when Lord Lindley was appointed Serjeant, but on other occasions, as the newly created Serjeant by becoming a member of Serjeants' Inn ceased *ipso facto* to be a member of his Inn of Court, if the event took place during Commons, after dinner he solemnly walked down the Hall and out of the door into the Court, the Church bell tolling in token of his being dead to the Society in future (see "Bench and Bar," by Serjeant Robinson, 1889). By the Judicature Act (36 and 37 Vict., cap. 66, sec. 8) no person appointed a Judge was thenceforth required to take or to have taken the degree of Serjeant-at-Law, and it became unnecessary to create new Serjeants. The Society of Serjeants' Inn, Chancery Lane, having acquired their property simply by the contributions from time to time of the members among themselves, the existing Serjeants, acting upon the opinion of Thomas Southgate, Q.C., and Joshua Williams, Q.C., decided to sell and dispose of their property, and to distribute the proceeds among the members of the Inn living on the 13th June 1876, or their representatives. This was accordingly done, but the great majority of the Judges decided to retain no more of their shares than their own contributions on entering the Society, and to devote the rest to some public purpose. The Barristers' Benevolent Association profited by Lord Lindley's benefaction. In 1878 Serjeants who had formerly been members of the Middle Temple were re-admitted.

It may be interesting here to add a few words with regard to King's Counsel. The King's Serjeants and the Attorney and Solicitor General were the only King's Counsel until the seventeenth century, when Francis Bacon was by patent of James I (1604) appointed King's Counsel extraordinary. No similar appointment was made until 1668, when Francis North obtained a patent as King's Counsel without being either Serjeant or Attorney or Solicitor General. During the reigns of William and Mary and Anne (1689-1714) no appointment was made. In 1775 there were only fourteen King's Counsel, and not one-third practised in the Courts. It was then treated as an office under the Crown, to which there was a salary of £40 per annum attached, and the appointment to which vacated the seat of a Member of Parliament. To obviate this difficulty occasionally a patent of precedence was substituted for the patent of appointment of King's Counsel which entitled the grantee to wear a silk gown and sit within the bar; such were the patents of Erskine, Scott, and Brougham. Sir Walter Phillimore (also a Bencher of this Inn) is the last survivor of those who held similar patents. The salary of King's Counsel ceased after Lord Campbell became Attorney General (1834). (See Pulling's "Order of the Coif," pp. 181-200.) Blackstone (Com. iii, p. 28, n. *a*) gives the order of pre-audience in the Courts in 1768 as follows:

1. The King's premier Serjeant (so constituted by special patent).
2. The King's ancient Serjeant, or the eldest among the King's Serjeants.
3. The King's Advocate General.
4. The King's Attorney General.
5. The King's Solictor General.
6. The King's Serjeants.
7. The King's Counsel, with the Queen's Attorney and Solicitor.
8. Serjeants at Law.
9. The Recorder of London.
10. Advocates of the Civil Law.
11. Barristers.

APPENDIX VI

LIST OF PRESENTATION PLATE AND OTHER PLATE AND ARTICLES OF INTEREST

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LIST OF PRESENTATION PLATE AND OTHER PLATE AND ARTICLES OF INTEREST

PLATE

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.[1]	Name of Maker, Date, and Remarks.
1. Silver Gilt Loving Cup, with Cover. (Pl. II)	H.R.H. Prince of Wales. 1887.	[On Cover] His Royal Highness The Prince of Wales Treasurer 18 [Lamb and Flag] 87 Peter Henry Edlin Esquire Q.C. Deputy Treasurer. [On Cup Royal Arms.]	P·S	Paul Storr. 1800-1801.
2. Middle Temple Coronation Plate, consisting of: (Pl. III) Silver Gilt pedestal Cup with Cover about 3 feet high. Also two Silver Gilt Salt Cellars or Saltieres. The Cup is modelled in the style of the Elizabethan period. The body of the Cup is enriched with arcaded panels displaying emblems of Majesty and Power. Underneath is portrayed a bas-relief portrait of H.M. the King, whilst on either side there is depicted a finely chased repre-		[On base of Pedestal of Cup] Edward VII King of Great Britain and Ireland Emperor of India a Master of the Bench of this Honourable Society Treasurer 1887 Crowned at Westminster the ninth day of August 1902 whom may God long preserve. [On inside of Cover] Sir R. B. Finlay M.P., A.G., K.C. Treasurer 1903,		Mappin Brothers.

[1] Most of the Makers' Marks have been copied, with permission of the author, from "English Goldsmiths and their Marks," by Charles James Jackson, Barrister of the Middle Temple.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
sentation of an incident in the Coronation Ceremony. The stem of the Cup is decorated with figures representing the British Colonies, etc.; and the Cover, in addition to a figure of Britannia, bears a medallion portrait of Queen Elizabeth. The Cover of the Cup is surmounted by the Crown. The Salt Cellars which accompany the Cup are also modelled in the style of the Elizabethan period, and are supported by lion feet. On one Cellar the Patron Saints of England and Ireland are shown, whilst the other bears those of Scotland and Wales. The Cover of each Saltiere is embellished by the national emblems of the Rose, Shamrock, Thistle, and Leek, and surmounted by a modelled and chased reproduction of the Lamb and Flag.		Alexander Dauney Treasurer 1904. Sir R. D. M. Littler C.B., K.C., F. Stallard, R. Harris K.C., R. A. M'Call K.C., M. J. Muir Mackenzie, F. Clifford K.C. Committee. —— J. W. Waldron, Under-Treasurer.		
Two Silver Gilt Salt Cellars or Saltieres. The design is the "Standing Salt" of British Regalia. On one, panels representing Dominions of Canada, India, Australasia, and Africa; on the other ornaments derived from Screen in Middle Temple Hall and				Wm. Hutton and Sons, Limited.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
roof of Hall. Round the drum four figures of Knights Templars. Both Salts supported upon couchant Lions.				
3. Alms Dish, silver plated on brass, with Lamb and Flag hammered out in relief and measuring 16 inches in diameter.				No marks, but has the appearance of being very ancient.
4. One large gilded Chalice, 14½ inches high and 7 inches in diameter across the brim, and containing about 3 quarts. (Pl. IV)	Henry Barker. 1663.	Henricus Barker Armiger Adsocius de Banco Medij Templi hanc Chalicem eidem Societati dedit, Anno 1663.	AF	Probably Ant. Fickettes. 1663-4.
5. One gilded Chalice, 17 inches high and 8 inches in diameter across the brim, and containing about a gallon. (Pl. IV)	Robert Henley. 1664.	Dom̃i Robtj Henley, Militis Anõ Regis Caĩ II decimo sexto Anoq̃ Dñj MDCLXIV.	WN	1663-4.
6. One large Basin about 2 feet in diameter. (Pl. VI)	Robert Offley. 1678.	Ex dono Roberti Offley Armigeri nuper unius Magistrorum de Banco Societatis Medij Templi Anno Domini 1678.	RL	1673-4.
7. Ewer containing about 2 quarts. (Pl. V)	Robert Offley. 1680.	Ex dono Roberti Offley Armigeri nuper unius Magistrorum de Banco Societatis Medij Templi An° Do^m^ 1678.	Same.	1673-4.
8. One gilded Chalice, 14½ inches high and 7 inches in diameter across the brim, and containing about 3 quarts. (Pl. IV)	Edmund Saunders.	Edmundus Saunders Miles, Capitatis Justiciarius Angliæ, Suæ Societati Medij Templi dono dedit. T E. S.		1680-1. The Treasurer in 1682 was Edward Smith. Edmund Saunders was never Treasurer.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
9. One large Pottage Pot and Cover. (Pl. VII)	Jacob Astry. 1683.	Ex dono Jacobi Astry Militis unius e magistris Cancellariæ A : D : 1683.		B G in cipher with star above. 1683.[1]
10. Twenty-two Flat-stemmed Rat-tailed Table Spoons. (Pl. IX)		T W. P	IC	James Chadwick. 1686-7. William Pawlett was Treasurer 1687.
11. Six large Doric-column Silver Candlesticks, 1 foot high, base $7\frac{1}{2}$ inches. (Pl. VIII)	Matthew Johnson. 1692.	Ex dono Mathaei Johnson, Arm', Clerici Parliamentorum. [On one side Arms of Donor. On reverse Lamb and Flag.] [Nos. on columns] No. 1. 29 . 11 „ 2. 29 . 12 „ 3. 29 . 19 „ 4. 29 . 14 „ 5. 30 . 7 „ 6. 31 . 15	WE	1692-3.
Three Silver Branches.		[Lamb and Flag.] No. 1. 37 . 9 „ 2. 38 . 5 „ 3. 37 . 8	IS	Probably John Spackman, 1692-3.
Three Plated Branches.				No mark.
12. One pair of large Silver Snuffers and Snuff-pan.		T I O		J. E. H. G. in cipher. John Orlebar was Treasurer 1692.
13. Rose water Salver about 21 inches diameter, curiously chased and gilt. (Pl. VI)	Thomas Chute. 1693.	Ex dono Thomæ Chute, Armig' Ad Socij de Banco Medij Templi An° Dom 1693.	BP	Probably Benj. Pyne. 1679-80.
14. One large Punch Bowl. (Pl. VIII)	John Darnell. 1694.	Ex dono Johes Darnall Servientis ad legem, nuper unius hujus honorabilis Societatis.	IL	1693-4.

[1] See "Old English Plate," by W. J. Cripps, 8th ed.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
15. Twelve Rat-tail Table Spoons.		T P. B		Thomas Allen. 1709-10. Peter Broughton was Treasurer 1708.
16. Punch-ladle. (Pl. VIII)				William Fawdery. 1708-9.
17. Three solid Silver Salvers. (Pl. IV)	Edmund Saunders. 1708.	Edmundus Saunders Miles Capitalis Justiciarius Angliæ, Suæ Societati Medij Templi Dono Dedit. P. B T.		Philip Roker. 1707-8.[1] Peter Broughton was Treasurer 1708.
18. One Silver Salver.		Edmundus Saunders Miles Capitalis Justiciarius Angliæ, Suæ Societati Medij Templi Dono Dedit. P. B. T.		Maker undecipherable; probably reproduced later. 1740. Peter Broughton was Treasurer 1708.
19. One large Silver Hand Tea-tray, about 22 inches long and 15 inches broad.	Arthur Onslow. 1729.	Ex dono præhonorabilis Arthuri Onslow Armigeri Comitiorum Rogatoris, Regiæ Majestati Georgio Secundo, e Secretioribus Concilijs, et unius Magistrorum de Banco Societatis Medij Templi Anno Dñi 1729.		Edward Vincent. 1729-30.
20. Two large Silver Cups with Covers. (Pl. V)	Henry Ludlow. 1730.	Donum Henrici Ludlow, Armigeri, unius Magistrorum de Banco Societatis Medij Templi Anno Dñi 1730. [On one side Lamb and Flag; on reverse Arms of donor.		Samuel Jefferys. 1730-1.
21. Twelve small Silver Saucers.				1734.[2]

[1] "Gilda Aurifabrorum," by Wm. Chaffers, p. 136.

[2] See *ante*, p. 208.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
22. Wrought Cup and Cover. (Frontispiece)	Chas. Worsley. 1739.	The gift of Charles Worsley Esq^re^ one of the Masters of the Bench Anno 1739. [On reverse side] Mediũ Templum.		Fred. Kandler. 1738-9.
23. Six small Silver Salvers. (Pl. IX)	Wm. Avery. 1745.	Donum Gulielmi Avery Armigeri Unius Magistrorum de Banco Anno Dñi 1745.		Henry Morris.[1] 1746-7 [Ent. 1739].
24. Small Salver, shaped edge.			Same.	
25. One Soup Tureen and Cover. (Pl. VII)		[On one side Lamb and Flag; on reverse Baronet's shield, 3 balls on a fesse, field ermine. On cover Lion's head erased.		Peter Archambo and Peter Meure. 1754-5.
26. Stand or Tray for Soup Tureen.		[On one side of rim Lamb and Flag; on the other side Baronet's shield, 3 balls on a fesse, field ermine.		Thos. Heming. 1770-1. [Ent. 1744].
27. One Soup Tureen and Cover. Design same as No. 25.	Fletcher Norton.	[On one side Lamb and Flag; on reverse Maunch with Ermine, Arms of Fletcher Norton, afterwards first Baron Grantley. On cover Moor's head affronté.		Thos. Heming. 1770-1. [Ent. 1744.]
28. Stand or Tray for Soup Tureen.		[On one side of rim Lamb and Flag; on the other side Maunch.	Same.	Thos. Heming. 1770-1.
29. One Soup Ladle.		[Maunch with erm., Arms of Fletcher Norton.	Same.	Thos. Heming. 1770-1.

[1] But see Cripps, p. 446.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
30. One Soup Ladle.		[Lion's head erased on one side; on reverse obliterated.]		No mark, but resembles No. 29 in design.
31. One Ditto.	John Hatsell. 1803.	Given by John Hatsell Esq^re^ 1803.	R G	Robert Garrard. 1802.[1]
32. Two Silver Sugar Casters, 9 inches high. (Pl. IX)		[Lamb and Flag on shield.]	SW	Saml. Wheat. 1756-7.
33. Four Silver Pepper Casters, 7 inches high. (Pl. IX)		[Lamb and Flag on shield.]	Same.	
34. Twelve Tripod Silver Salts.			D·H	David Hennell. 1757-8.
35. Eight Tripod Silver Salts.			G·A	George Angell. 1874.
36. Sixteen Tripod Silver Salts.				Goldsmith and Silversmith's Company. 1900.
37. Set of two Silver Tripod Sauce-boats.		[On front Lamb and Flag.]	WS	Wm. Sampel. 1762-3.
38. Set of ten Silver Tripod Sauce-boats.		[On one side Lamb and Flag; on reverse Lamb and Flag on shield.] T F B R.	I·C WR	Joseph Craddock and W. Reid. 1824.[2] Francis Bushell Reaston was Treasurer 1823-4.
39. Set of four Silver Sauce-boats on plain stands.		[On front Lamb and Flag.]	S·C	Name not traced. 1824-8.
40. Set of seven ladles.				About 1700.
41. One Ladle.				1756.
42. Eight Ladles.				1857.

[1] See Cripps, p. 474.

[2] See Cripps, p. 476.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
43. One Gravy Kettle or Argyll, with wooden handle.		Middle Temple T. J T 1775.		Charles Aldridge and Henry Green. 1775. Sir John Turner, Bart., was Treasurer 1775.
44. One Gravy Kettle or Argyll, with wooden handle.		[Lamb and Flag.]		Thos. Ellis. 1795-6.
45. One Gravy Kettle or Argyll, with wooden handle.		Middle Temple. [Lamb and Flag on shield.] T F B R 1824		John Emes. 1801-2. Francis Bushell Reaston was Treasurer 1823-4.
46. Four Cream Jugs.				William Abdy. 1822.
47. Three Sugar Tongs.			Same.	
48. Eight Silver Sugar Basins (four sets). (Pl. IX)				1824-5. [Name not traced.]
49. Two Silver Mustard Cases. (Pl. IX)		[On lid Lamb and Flag.]		1839.
50. Two Candelabra, each with three figures supporting three double branches about 24 inches high.				Messrs. Hancock, 1854.
51. Silver Gilt Ewer or Claret Jug, with applied foliage and ornament.	Family of Frederick Clifford, K.C.	Presented to the Middle Temple by the Family of Frederick Clifford K.C. Bencher 1900-1904.		Joseph Angell, 1858-59.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
52. Two Silver Gilt Candelabra, each with seven Sockets, about 27 inches high.			A·M	Bought during Treasurership of Sir Thomas Chambers, 1872.
53. Silver Dessert Service, consisting of Large Silver Gothic Plateau, 5 feet long by 22 inches broad, with upright edge, beaded and gadrooned, and with a mirror on woodwork as a base. Four Equestrian Knights Templars armed and carrying beauseant and lance, for corners of plateau. Three Silver Assiettes or Flower Standards with three Knights Templars standing at each corner. Six three-corner Fruit Stands with a Lamb and Flag statuette at each corner.		[On one side of plateau two Knights Templars on one horse on shield; on reverse Arms of Clement Milward.] Dum Spiro Spero C. Milward Q C Treasurer 1880	H·W	Horace Woodward. 1880.
54. Silver Loving Cup and Cover.	Lord Coleridge. 1892.	Dilectæ Societati Suæ Necessitudinis gratique animi Monumentum D. D. D. Joannes Duke Baro Coleridge Judex Angliæ Supremus Medii Templi Thesaurarius 1890-1891.	J·A T·S	1892.
55. Two Spirit Bottles, silver mounted.	Sir R. Littler. 1892.	Brandy M T Ex dono Ranul Littler Lect. Auct. 1892. Whisky M T Ex dono Ranul Littler Lect. Auct. 1892.		Purchased in Holland. Old Dutch.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
56. Hanap Cup and Cover.	Sir Alfred Wills. 1894.	Ex dono Alfredi Wills Nuper Thesaurarii MDCCCXCIV [Lamb and Flag.]	SD	Italian or German workmanship, *temp.* Car. II; from Lambert, Coventry Street, London.
57. Two Silver Cigar Lighters. Shape—small cup with two handles and cover worked.	Edmund Macrory, Q.C. 1898.	M [Lamb and Flag] T.		
58. Two Silver Fish Slices.	C. W. Ryall. 1899.	[Lamb and Flag.] M. T. Ad. Antiquorum usum D. D. Carolus Wager Ryalls L L D Socius MDCCCXCIX.		
59. Silver Centre-piece, with Sockets for Seven Candles, about 30 inches high.	Sir Peter Edlin. 1901.	Presented by the Honourable Society of the Middle Temple to Master Peter Henry Edlin Q.C. in recognition of his services as deputy treasurer in the Jubilee Year 1887. [Edlin Arms on shield.] Presented to the Hon. Society of the Middle Temple by Sir Peter Edlin K.C. 9th Nov. 1901. [Lamb and Flag on shield.]	RE FB	Rebecca[1] Emes and Edward Barnard, 1812-13.
60. Two Silver Sugar Dredgers.	W. H. Spiller. 1903.	[Lamb and Flag.] Middle Temple For the use of the Senior Bar Mess Presented by W. H. Spiller F.S.A. Barrister of the Inn 1903.		Elkington and Co., Limited.

[1] See Cripps, p. 475.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
61. Silver Coffee-Pot.		[Lamb and Flag.] Middle Temple 1903 A. D. T. [On reverse Coat of Arms unknown.]		1740.
62. Silver Hot Milk Jug.		[On rim at bottom] Middle Temple 1903. A. D. T. [On one side Lamb and Flag; on reverse Coat of Arms unknown.		1764.
63. Large Silver Double-handled Cup with a bust of Samuel Pope in relief on one side and on the reverse Lamb and Flag on Shield.	Friends of Samuel Pope, 1903.	Samuel Pope K.C. Treasurer 1889. Died 23rd July 1901. E'en should nought be quaffed from me, Yet because I bear his name, May my presence all the same Grace your feasts as erst did he.		Gold and Silversmiths Alliance Company. 1903.
Black Wooden Stand with silver mount bearing inscription.		Presented to The Honourable Society of the Middle Temple By Friends of Samuel Pope K. C. 1903.		
64. Two Silver Tea-pots, Wedgwood pattern.		[On lid Lamb and Flag.] A D T 1904.	G G	Gilliam. Reproduction of teapot of about the year 1800.
65. Two Silver Milk Jugs.		A D T 1904 [Lamb and Flag.]	G G	Gilliam.
66. Two Silver Ink-stands, each with two pots and tray.		[Lamb and Flag.]	G G	Gilliam. Reproduction of Geo. II period.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
67. Silver Loving Cup and Cover.	Lord Collins. 1906.	In Memoriam Anni mirâ sociorum indulgentiâ mira benignitate felicissime peracti. D. D. D. Ricardus Henr. Baro Collins nuper rotulorum magister hujus societatis thesaurarius 1905-1906 [On reverse side Lamb and Flag.] Medii Templi.	J·V·	1903.
68. Two Silver Gilt Cups with Covers on mounted black stands.	Sir John Bigham. 1907.	To Domus a Token of Gratitude from Mr. Justice Bigham (Treasurer 1906-7) [Lamb and Flag on shield.] Mid: Temple.		R. and S. Garrard and Company.
69. Small Silver Candlestick for sealing. (Pl. IX)				No mark, but very old.

SNUFF BOXES

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
1. Gold Snuff Box, $3\frac{1}{2}$ inches by $1\frac{1}{2}$ inch.	Henry Longlands. 1851.	Presented to the Masters of the Bench of the Middle Temple by Henry Longlands Esq^re^ Treasurer 1851. [Lamb and Flag on shield.]		
2. Silver Snuff Box, $3\frac{1}{2}$ inches by $1\frac{1}{2}$ inch.	Chas. Beavan. 1873.	[On inside of Lid] Presented to the Senior Bar Mess by Charles Beavan Esq^re^ on his		

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
		call to the Bench 6th May 1873. [On Lid Lamb and Flag on shield, and over it] Middle Temple Hall.		
3. Tortoiseshell Snuff Box, oval shape, about 3 inches by 2½ inches, with silver mount for inscription.	Dr. Hans Busk. 1873.	[On tortoiseshell Lid] I.N. from I.B. Trin. Coll. Cam. 25th Dec. 1667. [On silver Mount] Presented to The Masters of the Bench By Captain Hans Busk LL.D. (Hon. D. C. L. Oxford) In token of forty years membership of the Society of The Middle Temple May 1873		Isaac Barrow (I. B.) was Fellow of Trin. Coll. Cam. and Prof. of Mathematics. Sir Isaac Newton was his favourite pupil and succeeded him in the professorship (1669).
4. Gold Snuff Box, with Dutch figures engraved on lid.	Chas. Beavan. 1880.	[On inside of Lid] Presented at Readers Feast 23 Jan. 1880 to the Masters of the Bench of the Middle Temple by Charles Beavan Esqre Lent Reader 1880.		Stated by Master Beavan to have been given to him by Napoleon III after the Revolution, who told him it had been given to him by the Emperor of Russia.
5. Tortoiseshell Snuff Box, with silver mounts, 4 inches by 3 inches.	W. H. Spiller. 1895.	[Lamb and Flag.] Presented to the Right Hand Senior Table Middle Temple Hall by W. H. Spiller Barrister of the Inn 1895.		

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Make Date, and Remarks.
6. Black wood circular Snuff Box, 5 inches in diameter and mounted with silver.		Made from an oaken pile of Old Temple Bridge, erected by the Knights Templars. Restored by Order of Edward III A D 1331 [Rym. Fœd. iv, 464] and by Q Elizabeth A D 1584. [Lansdowne MSS., 106.] Demolished in embanking Temple Gardens A D 1767 [Stat. 7 Geo. III, c. 37, s. 3].		This Snuff Box was made during the Treasurership of Master Joseph Brown, 1878.

PORTERS' STAVES, BADGE AND HORN

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks.
1. Church Staff of the Middle Temple. Silver Gilt Lamb and Flag (Statuette 5 inches high and 4 inches in length) on Silver Knob or Handle ($4\frac{1}{2}$ inches diameter at top and 8 inches long), mounted on Ebony Staff (6 feet 4 inches long).		T W T 16 [Lamb and Flag] 84 This staff belongs to the Hon. Society of y^e^ Middle Temple [Another inscription obliterated.]		Purchased during Treasurership of William Thursby, 1684-5. (See Cal. p. 181.)
2. Head Porter's Silver Badge and chain worn on important occasions, always on June Grand Night, 9 inches by $7\frac{3}{4}$ inches.		[Lamb and Flag.] The Messenger to the Hono^ble^ Society of y^e^ Midle Temple 1686. T H C.		Probably T. Issod.[1] Purchased during Treasurership of Sir Hy. Chauncy, 1685-6. (See Cal. p. 182.)

[1] See Cripps, p. 433.

Article.	Name of Donor and Date of Gift.	Inscription.	Maker's Mark.	Name of Maker, Date, and Remarks
3. Chief Porter's Staff. Silver Knob or Handle (4 inches in diameter at top and $9\frac{1}{2}$ inches long) mounted on Ebony Staff (5 feet 6 inches long).		T C W 1733. This Staff belongs to ye Hon^{ble} Society of y^{e} Middle Temple.		Acquired during Treasurership of Charles Worsley, 1733.
4. Under Porter's Staff. Silver Knob or Handle (3 inches diameter at top and $5\frac{1}{2}$ inches long) mounted on Oak Staff (5 feet 6 inches long).		[On top of Knob] Lamb and Flag. [On side of Handle] T B S This Staff belongs to the Hon^{able} Society of the Middle Temple 1755.		Acquired during Treasurership of Benjamin Smart, 1755.
5. Old Horn mounted in Silver.				No marks. This is the ancient horn which was in use until the year 1904, when the present horn was purchased. The horn is blown by the Porter round the Courts at 5.30 to summon the Members to dinner in Hall.
6. Present Horn.		Middle Temple 1904		

N°4 *N°17* *N°5* *N°17* *N°8*

No. 20 No. 17 No. 20

N° 6

N° 13

A 5
A 25

Emm. Kinsser lith.

N° 11 N° 14 N° 11

N° 10

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